



# THE UNIVERSITY *of* EDINBURGH

<b>Title</b>	Five Articles of Perth
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<b>Qualification</b>	PhD
<b>Year</b>	1975

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THE FIVE ARTICLES OF PERTH

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Doctor of Philosophy

UNIVERSITY OF EDINBURGH

1975





## ABSTRACT

The General Assembly meeting at Perth in August 1618, out of deference to the wishes of James VI, enacted the five regulations concerning the worship of the Church which came to be known as the Five Articles of Perth. At its next meeting, admittedly twenty ~~five~~ years later, after much mature deliberation, "The matter was put to voicing in these words, 'whether the Five Articles of Perth, by the Confession of Faith, as it was meant and professed in the year 1580, 1581, 1590, 1591, ought to be removed out of this Kirk?' The whole Assembly all in one consent, one only excepted, did voice that the Five Articles above specified were abjured by this Kirk in that Confession, and so ought to be removed out of it; and therefore prohibiteth and dischargeth all disputing for them, or observing of them, or any of them, in all time coming".

Some of the questions prompted by setting those two facts in such close juxta-position laid down the guide lines for the research which lies behind the present Thesis, and determined that, in broad terms, it should attempt to make six assessments. First it attempts to trace the origin and growth of the ideas expressed in <sup>the</sup> Articles, the roots of the opposition which these ideas immediately encountered, and the course of the conflict from its beginning up to the time of the death of James, to whom belongs the responsibility for conceiving the ideas and attempting to enforce them against the judgement, according to contemporary critics, of 'some of the best professors'.

The Records of the Church Courts which survive from this period are relatively few, disappointingly inadequate by reason of the facts they do not record, and for the most part cover only a few of the critical years, so that the most we can hope for from them is a series of glimpses of local Church life as influenced by the Articles. Imperfect as the picture is, however, it is

## ABSTRACT (contd.)

important and though it inevitably covers the whole period, it has seemed best to examine the picture in some detail before taking up the history of the conflict during the reign of Charles. Chapter 7 therefore examines the evidence which can be gleaned from Session, Presbytery and Synod Records regarding the Articles as a whole and each of the Articles in turn.

The Thesis then resumes its study of the history of the conflict from the accession of Charles to its conclusion at the Glasgow Assembly, and this is followed by an assessment of the strength of non-conformity and the abiding interest in the Five Articles throughout the period as witnessed in contemporary sources other than the Records of the Church Courts.

But no assessment of the Articles can be considered adequate which regards them as of purely local or contemporary interest, so the Thesis examines the evidence for interest in them furth of Scotland, and attempts to trace their significance for subsequent generations in Scotland, with particular reference to the period 1660 to 1668.

While the question - To conform or not to conform? was at the heart of the controversy through the whole twenty years of conflict, each man's answer was determined by his attitude on a number of other questions. Consideration of the arguments advanced in favour of making innovations, and of those against the particular innovations proposed, leads on inevitably to the consideration of conflicting doctrines of the Ministry, differing estimates of the validity of the Assembly and the other instruments by which the King sought to impose his will, the force of Oaths, and ultimately the real seat of authority.

In a final chapter an attempt is made to assess the importance of the controversy and to discover both its immediate effects and its more lasting influences on the development of the Church in Scotland. It is concluded

## ABSTRACT (contd.)

that the attempt to enforce conformity in worship was a tactical blunder on the part of James. The immediate consequence was to stimulate wide ranging debate, which could not stop short of discussing the relationship between Kirk and Crown among other things. An inevitable result of protracted debate was to emphasise differences of opinion and to create division in the Scottish Kirk which had not previously existed. As to long term results, twenty years of controversy bred attitudes of mind toward the Scriptures, Orders of Worship, and systems of ecclesiastical organisation which have persisted to our own day. While practical experiences of the difficulty of preserving traditional practice against a powerful innovator prepared the minds of Presbyterian Churchmen for the first Barrier Acts.

The Thesis proper is followed by a series of Appendices designed to shed additional light on some of the more personal aspects of the conflict, to make plain the important part played by the controversial pamphlets, and to indicate the extent of the field of contemporary and later literature in which the student may find clues to the true course of events, or valid answers to the questions raised by the controversy.



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## CHAPTER 1.

### SPOTTISWOOLE REPORTS (1)

In the following extract from his History of the Church of Scotland, John Spottiswoode sets out clearly and conveniently the Five Articles which are the subject of this Thesis, and at least adumbrates "the distractions that ensued" and give them more than a passing interest..

This is what he writes:-

To our story it shall suffice, that after long reasoning, first in the conference, and then in the full Assembly, the Articles were concluded in this form:-

"1. Seeing that we are commanded by God Himself, that when we come to worship him, we fall down and kneel before the Lord our Maker, and considering withal that there is no part of divine worship more heavenly and spiritual than is the holy receiving of the blessed body and blood of our Lord and Saviour Jesus Christ, likeas the most humble and reverent gesture of our body in our meditation and the lifting up of our hearts best becometh so divine and sacred an action; therefore notwithstanding that our Church hath used since the Reformation of religion to celebrate the holy communion to the people sitting, by reason of the great abuse of kneeling used in the idolatrous worship of the sacrament by papists, yet seeing all memory of by past superstitions is past, in reverence of God and in due regard of so divine a mystery and in remembrance of so mystical an union as we are made partakers of, the Assembly thinketh good, that the blessed sacrament be celebrated hereafter, meekly and reverently upon their knees.

"2. If any good Christian visited with long sickness, and known to the pastor,

Note (1) Spottiswoode: History of the Church of Scotland. iii. 255-7  
hereafter referred to as Spottiswoode.

by reason of his infirmity, to be unable to resort to the Church for receiving the holy communion, or being sick, shall declare to the pastor, on his conscience, that he thinks his sickness to be deadly, and shall earnestly desire to receive the same in his house, the minister shall not deny him so great a comfort, lawful warning being given to him the night before, and that there be three or four of good religion and conversation, free of all lawful impediments, present with the sick person, to communicate with him, who must also provide a convenient place in his house, and all things necessary for the reverent administration thereof, according to the order prescribed in the Church.

"3. The minister shall often admonish the people that they defer not the baptising of infants any longer than the next Lord's day after the child be born; unless, upon a great and reasonable cause declared to the minister, and by him approved, the same to be continued. As also they shall warn them, that, without great cause, they procure not their children to be baptized at home in their houses; but when great need shall compel them to baptize in private houses (in which case the minister shall not refuse to do it, upon the knowledge of the great need, and being timely required thereto) then shall baptism be administered after the same form as it should have been in the congregation: and the minister shall, the next Lord's day after any such private baptism, declare in the Church that the infant was so baptized, and therefore ought to be received as one of the true flock of Christ's fold.

"4. Forasmuch as one of the special means of staying the increase of popery, and settling of true religion in the hearts of people is, that special care be taken of young children, their education, and how they are catechized; which in time of the primitive Church most carefully was attended, as being most profitable to cause young children in their tender years to drink in the knowledge



of God and his religion, but is now altogether neglected, in respect of the great abuse and errors which crept into the popish church by making thereof a sacrament of confirmation; therefore, that all superstitions built thereupon may be rescinded and that the matter itself, being most necessary for the education of youth, may be reduced to the primitive integrity, it is thought good that the minister in every parish shall catechize all young children of eight years of age, and see that they have the knowledge and be able to make rehearsal of the Lord's Prayer, Belief, and Ten Commandments, with answers to the questions of the small catechism used in our Church, and that every bishop, in his visitation, shall censure the minister who shall be found remiss therein; and the said bishops shall cause the said children to be presented before them, and bless them with prayer for the increase of their knowledge, and the continuance of God's heavenly graces with every one of them.

"5. As we abhor the superstitious observation of festival days by the papists, and detest all licentious and profane abuses thereof by the common sort of professors, so we think that the inestimable benefits received from God, by our Lord Jesus Christ, his birth, passion, resurrection, ascension, and sending down of the Holy Ghost, were commendably and godly remembered at certain particular days and times by the whole Church of the world, and may also be now; therefore the Assembly ordaineth that every minister shall upon these days have the commemoration of the foresaid inestimable benefits, and make choice of several and pertinent texts of scripture, and frame their doctrine and exhortations thereto; and rebuke all superstitious observation and licentious profanation thereof."

These Articles concluded, order was given to intimate the same in all the parish churches, and the ministers enjoined to inform their people of the lawfulness



thereof, and exhort them to obedience. But this being neglected of the greater part, was not the least cause of the distractions that ensued, especially in the Church of Edinburgh, where the people being still fostered in an opinion that their ministers would not go from their former practice, when they saw them give obedience withdrew themselves in great numbers, and ran to seek the communion from other ministers they knew to be refractory. His majesty always, upon advertisement that the Articles were concluded, caused publish the same at the market-crosses of the principal burghs, commanding the subjects to obey and conform themselves, under the pain of his highness's displeasure."

The Questions to which we must seek answers are concerned with the nature of "the distractions that ensued", the real causes which occasioned them, and how widespread they were over the country. We must also ask - what were their immediate consequences, and what, if anything, their permanent significance? Before we may hope to find the answer to any of these questions, it will be necessary to trace the efforts to enforce conformity, and the parallel movement of resistance against the efforts; and to relate the activities of the various parties to the ideas which were dominating their thinking.

CHAPTER 2.THE FIELDS TO BE INVESTIGATED

For the proper understanding of the significance of the Five Articles, it is essential that we should enter sympathetically into the mind not of James, or Spottiswoode or Calderwood, but of each of them in turn, and of a host of less conspicuous characters, each of whom had his own contribution to make to the action. Furthermore we must attempt to understand the importance to them of considerations which may largely have lost their relevance for us, and to appreciate the pressures which they felt and how these pressures built up until they reached the point at which they broke up in storm. The Contemporary literature which has survived to our time, and to which we must turn for evidence is detailed in Appendices G and H; but the mere catalogue gives no indication either of its value or of its limitations. Obviously the mass is substantial and the variety considerable - State papers, Church, and to a much lesser extent, Burgh Records, Royal and other letters, Controversial Pamphlets, Sermons, Memoirs and Contemporary Histories. Equally obviously the Five Articles of Perth are only one among many interests with which these works have to deal and the student must sift through a great deal of material to find the fragment which is relevant to his purpose.

This point is brought out well by consideration of the surviving records of Church Courts. The Records of some 44 Kirk Sessions recording the Court's activities for longer or shorter periods between 1618 and 1638 have survived to be consulted in the Scottish Records Office; of Presbytery Records covering the same period in part or in whole there are 15; while of Synods only Fife (1616 - 36, and 1639 - 1657), and Moray (1623 - 1644) remain with Argyll and Perth and Stirling commencing their Records in the year 1639. Had the Session

Clerks kept their Records with a fulness to compare with what we could expect of their modern counterparts, we might have hoped to be furnished with evidence of the first importance regarding the observance of the Five Articles and their impact in various parts of the country. Alas, a study of the surviving records makes it very plain that the Session of this period was almost entirely concerned with questions of discipline, and even then seldom with discipline arising out of the enforcement of the Five Articles. To such subjects as the conduct of worship, the celebration of the Sacrament and the relation of the congregation to the Bishop, in the majority of Session Records there is scarcely a reference.

Turning to the limited group of Presbytery Records we discover that they have a little more to offer, and that for three reasons; normally the Clerks were careful to record the instructions sent down by the Bishop concerning such questions as the celebration of the Sacrament. The Courts attempted to discipline non-Conformists, and occasionally ministers sought the guidance of the brethren concerning problems which were troubling them. Only when we turn to Synod Records with their combination of Reports submitted by Presbyteries and Instructions sent down on the authority of Bishops do we discover in any quantity, the material from which we may form an estimate of the influence of the Articles in the life of the Church. This evidence as we have noted, is confined to the Synods of Fife, and to the Synod of Moray, after a lapse of five years, with more limited evidence by reflection, for Argyll and Perth and Stirling. And as we shall see later, the picture presented in Moray is, in some respects, very different from that presented in Fife.

State Papers, such as the Register of the Privy Council, give us a reliable guide to the trend of communications between the King and the Council and, under the King's direction, the Council and the Community; along with a record of the public Proclamations in which the Royal Will was from time to time made known.



The letters, Royal and other, when we have arranged them in chronological order, and made the necessary deductions regarding these parts of the correspondence which have not survived, provide us with an essential tool for understanding the mind of the King and the sometimes changing, sometimes unchangeable opinions of others involved in the controversy. The evidence of the Burgh Records is very strictly limited but valuable in helping us to realise how the King sought to use the civil power to enforce his will in the ecclesiastical field; the day to day relation between the Council and the Kirk; and the practical consequences of prominent citizens becoming actively involved, particularly on the side of non-conformity.

The Pamphlets, supported by the Sermons, and to a lesser extent the Memoirs, are our reservoir of information about the thinking behind the controversy. In these works the writers reveal their doctrinal convictions, their ideas on church government and their liturgical ideas, and as time passes make plain how under controversy ideas may be clarified but equally certainly prejudices are hardened, and divisions more clearly demarcated. But the great mine of information is without doubt, Calderwood's History. Much of the original material is only preserved within its pages, while much more, recorded there, may now be compared with other sources, when almost invariably, there will be found a close similarity between the two, or more accounts. It is often objected that Calderwood is heavily biased in favour of the Presbyterian Party and against both Crown and Bishops, So far as the expression of his opinions and the formation of his judgements is concerned, the criticism is valid, and allowance must be made for the fact. But in the field of reporting facts, wherever it is possible to check, it is found that he attains a remarkably high standard of accuracy.

If, on account of his bias, we must discount all that Calderwood has to

tell us, by the same token we must discount Spottiswoode, Lyndesay, the King himself - each is inevitably guided as to the aims which he pursues and influenced as to the way of which he expresses them by his own bias. But for the historian this does not destroy the value of their testimony. Rid the Record of all bias and we are left with a dry sequence of events with no clue to the whys or wherefores which caused one to follow the other. Recognise and accept the different biases of the various participants, and you have the only key which will allow you to enter sympathetically into the mind of each, or to recreate imaginatively the interplay of forces which determine the ebb and flow and the ultimate issue of the battle.

In the Chapters which follow it will be our endeavour not only to record the events, but also to discover the influences which guided men's actions, the loyalties to which they gave allegiance and how far it was principle and how far prejudice which divided them.

LONDON

CHAPTER 3.THE ROAD TO PERTH

Obviously, the Church we encounter at the Perth Assembly in 1618 is very different from the Church of Knox, or Melville, or even of John Forbes of Alford. To trace the long and somewhat devious road along which she has been led, is beyond the scope of this present paper, but for a right understanding of what flowed from the Assembly, we must trace in some detail the final stages on the road to Perth.

James, having established an episcopacy, consecrated in a manner which gave the Bishops some claim to stand within the Apostolic Succession (1610) and having clothed them with the powers of the Court of High Commission (1610; united 1615), and having also succeeded in avoiding holding meetings of the General Assembly, decided that the time was ripe for a thorough going reform of the worship of the Scottish Church.

An early inkling of what the King had in mind was to be found in the Order issued in 1609 for a Christmas Vacation in the Court of Session;<sup>(1)</sup> another came in the form of a Proclamation made at the Cross in Edinburgh on 4th March 1614, commanding the ministers to minister the Lord's Supper to the people on Easter Day, the 25th April;<sup>(2)</sup> and commanding the people to communicate that day in their own Parish Churches. Concerning the Proclamation, Calderwood reports:- "The most part obeyed but not all."<sup>(3)</sup>

viii. 380. nl.

Note (1) Register of Privy Council l. ~~2~~ hereafter referred to as R.P.C.

(2) *ibid.* l. x. 215

(3) Calderwood: History of the Kirk of Scotland. vii. 191. hereafter referred to as Calderwood.



A year later, just fifteen days before Easter, a Proclamation was issued "to celebrate the Communion at Easter in all tymes coming".<sup>(4)</sup> Of this proclamation Calderwood writes, "the King, by his own authoritie, without the advice, or consent of the Kirk, injoineth Kirk orders. The ministers of Edinburgh had ministered the Communion this year a little before Candlemass".<sup>(5)</sup>

On 22nd July 1616, an Assembly was indicted to be held in Aberdeen and to commence its sitting on 13th August. Much of the time was occupied with discussing measures to secure the suppression of popery, but the Assembly found time also to pass an Act approving a new Confession of Faith to be sworn by all students in Colleges, and all who are to be admitted to any office in Kirk or Commonwealth, along with the Acts anent the Trial of Children, the drafting of a Catechism, also a Liturgy and Canons to secure uniformities of discipline: an Act requiring the celebration of Communion four times a year in Burghs and twice in Landward Parishes - it being specifically required that one of the Celebrations be at Easter; And an Act requiring Ministers to celebrate Baptism "whensoever it shall be required".<sup>(6)</sup> The Bishops of Glasgow and Ross being sent to report the findings of the Assembly to the King, they came back with his judgement and instructions - "By the answer returned with them, his majesty's good liking of all that had proceeded in the Assembly was understood; only against the Act of confirming young children by bishops ~~he~~ excepted, saying it was <sup>a</sup> ~~more~~ <sup>e</sup> hotch-potch, and not so clear as was requisite; and therefore directed the same to be reformed, and among the canons of the Church the articles following to be inserted.

Note (4) R.P.C. l. x. 316

(5) *ibid.* vii. 196

(6) Book of Universal Kirk. iii 1124 hereafter referred to as B.U.K.



1. That for the more reverent receiving of the holy communion the same should be celebrated to the people thereafter kneeling and not sitting, as had been the custom since the reformation of religion.

2. If any good Christian visited with sickness, which was taken to be deadly, should desire to receive the communion in his house, the same should not be denied to him, lawful warning being given to the minister the night before; and three or four of good religion and conversation being present to communicate with the sick person, who must provide for a convenient place, and all things necessary for the reverent administration of the blessed sacrament.

3. That the sacrament of baptism should not be longer deferred than the next Sunday after the child is born, unless some great and reasonable cause, declared and approved by the minister, do require the same. And that, in the case of necessity, tried and known to the minister, it should be lawful to administer baptism in private houses, the same being always ministered after the form it would have been in the congregation, and public declaration thereof made the next Sunday in Church, to the end the child might be known to have been received into the flock of Christ's fold.

4. Seeing the inestimable benefits received from God by our Lord Jesus Christ in his Birth, Passion, Resurrection, Ascension, and sending down of the Holy Ghost, have been commendably remembered at certain, particular days and times by the whole church of the world; every minister from henceforth should keep a commemoration of the said benefits upon these days, and make choice of several and pertinent texts of scripture, and frame their doctrine and exhortations thereto, rebuking all superstitious observation and licentious profaning of the said times.

5. The act of confirmation of children, his majesty desired to be

reformed in this manner. Seeing the confirmation of children is for the good education of youth most necessary, being reduced to the primitive integrity it is thought good that the minister in every Parish shall catechize all young children of eight years of age, and see that they have knowledge, and be able to rehearse the Lord's Prayer, the Belief, the Ten Commandments, with answers to the questions of the small catechism used in the Church, and that the Bishops in their visitations should cause the children to be presented before them, and bless them with prayer for the increase of grace, and continuance of God in his heavenly gifts with them.

St. Andrews having explained the difficulties in the way of carrying out the King's instructions "he was pleased to forbear pressing the same for that time, thinking at his coming into Scotland to satisfy such as were scrupulous and to obtain the Church's consent".<sup>(7)</sup>

The early weeks of 1617 were occupied with preparations for the King's visit to Scotland, prominent among which were the refurnishing and redecorating of the Chapel of Holyrood House - in the opinion of the people these works could only presage great alterations in <sup>the</sup> worship of the Church, and the opposition was so great that the Bishops pled with the King to desist from setting up of the Statues of the Apostles and Evangelists. According to the letter which Cowper, Bishop of Galloway, wrote to Patrick Simson, Minister of Stirling, the King yielded, but <sup>by</sup> no means with good <sup>grace</sup> - "with a sharp rebuke and check of ignorance" in which Canterbury ably supported him - "we beare the reproofs, the more patientlie, becaus we have obtained that which we craved".<sup>(8)</sup>

Note (7) Spottiswoode. iii. 236-8.

(8) Calderwood. vii. 245

Original Letters. 497 and 499 hereafter referred to as Botsford.

On Friday 16th May James entered Edinburgh, bringing in his company among others "the Bishops of Eli, Lincolne, and Winchester and sundrie deans," and the following day the "English service was begun in the Chapell Royall, with singing of choiristers, surplices, and playing on organs." Orders were issued for nobles, counsellors and bishops to attend the services on Whitsunday (8th June) when the communion was celebrated after the English form<sup>X</sup>. A number attended and communicated kneeling; the Bishop of Galloway refrained, but, said Calderwood "he continued not long in that moode." On the following Tuesday Mr. Wm. Struthers, one of the ministers of Edinburgh preached before the King in the Chapel<sup>X</sup> and observed the English form in his prayer and in his behaviour: the same day the Privy<sup>X</sup>Council, on the King's instructions ordered the Marquis of Hamilton and the Earls of Mar and Glencairn, who had been in the Chapel the previous Sunday but did not communicate, and the rest of the Bishops and Noblemen who were in Edinburgh to attend and communicate according to the English form, the following Sunday, i.e. the 15th June. When Sunday came some of those cited appeared and communicated but Calderwood estimated that they did not, in all, amount to half the Noblemen who had been required to do so. He noted however, with disapproval, that the Ministers of Edinburgh were silent, neither seeking to dissuade the King from his course, nor speaking publicly against the innovation and the bad example set to the people.<sup>(9)</sup> The Scottish ministers were given a lesson in how to conduct a Christian Burial.

The Bishop of St. Andrews held a diocesan Synod in Edinburgh to choose commissioners to attend the forthcoming Parliament. The Commissioners met upon the 13th June and appointed some of their number to inform His Majesty that they

Note (9) *ibid.* vii. 249.



could not discuss the five articles which he proposed, without the advice and consent of the General Assembly. Parliament met on the 17th June and after much debate appointed the Lords of the Articles who sat daily, except on the Lord's Day, the King being present at all the Sessions.

The ministers who had gathered in Edinburgh met frequently in the little Kirk, one or more of the bishops always being present and assuring them that no infringement of the liberties of the Kirk was intended in the present Parliament, and affirming that they would not assent to the smallest innovation in the order of the Kirk without the special advice and determination of the General Assembly. But while the ministers were discussing stipends and provisions for ministers in the little Kirk, the Articles in the Parliament House were drafting Acts to provide that Bishops should be elected by Chapters; and that "whatsoever His Majesty should determine in the external government of the Church, with the advice of the Archbishops, Bishops and a competent number of the Ministry should have the strength of law."<sup>(10)</sup>

When this latter fact became known, on the second last day of Parliament, the ministers very naturally prepared a Protestation to be presented to His Majesty before the Parliament rose and agreed that Archibald Simson, as their Clerk, should subscribe for himself and those that adhered to him, and the others should sign in a Roll apart - 55 subscribing the Roll. The task of presenting the Protestation was committed to Mr. Peter Ewart who took it to the Palace in the morning. There he met the Bishop of St. Andrews and was persuaded to let him see the Protestation. A scene followed in which the Bishop tore <sup>up</sup> the Protestation. The King asked Mr. Ewart where the other copy was, and he replied

Note (10) Spottiswoode. iii. 246; also Scot: Apologetical Narration.

that he had no other. The Brethren however had foreseen the possibility of Mr. Ewart failing in his mission, and had committed a second copy to Archibald Simson and he delivered this to the Clerk of Register to be read to the Estates. The Clerk refused and informed the King who judged the Protestation prejudicial to his prerogative and power, ~~and~~ passed it over in the meeting of the Estates, and said he would deal with it as he thought good.

The upshot was that Archibald Simson, David Calderwood and Peter Ewart were cited to appear before the High Commission in St. Andrews. The Court sat on 12th July, the King being present and addressing them before the three brethren were called on. The burden of his speech was that Puritans in England stood out as long as they had liberty to preach and lived in the benevolence of the people who were sympathetic to their cause: when they were deprived of their office many yielded and became good conformists; wisdom was to learn from their English experience and take the same course with the Scottish Puritans. The Court took the hint and deprived the three ministers.

John Hall, Patrick Galloway, Wm. Struthers and Andrew Ramsay who had all signed the Protestation, being summoned before the High Commission sought and received the King's pardon.

On Sunday 13th July, the Bishops and a number of Ministers met the King in the Chapel of the Castle in St. Andrews, where he addressed them as follows:-

"What and how great my care hath been for this Church, as well before my going into England, is so well known to you all, as I neither need, nor do I mean to speak much of it, lest any should think I am seeking thanks for that I have done. It sufficeth me that God knows my intention is, and ever was, to have His true worship maintained, and a decent and comely order established in the Church. But of you I must complain, and of your causeless jealousies, even

when my meaning toward you is best. Before my coming home to visit this kingdom, being advertised that in your last Assembly an act was made for gathering the canons of the Church and putting them in form, I desired a few articles to be inserted; one was for the yearly commemoration of Our Saviour his greatest blessing bestowed upon mankind at His Nativity, Passion, Resurrection, Ascension, and the descent of His Holy Spirit; another for the private use of both sacraments in urgent and necessary cases; a third for the reverent administration of His Holy Supper; and a fourth for the catechizing and confirming your children by Bishops. It was answered, that these particulars had not been moved in any of the Church Assemblies, and so could not be inserted with the rest; which excuse I admitted, and was not minded to press them any more till you, after advice, did give your consent thereto; yet when the late Parliament I desired my prerogative to be declared in the making of the ecclesiastical laws, certain of your number did mutinously assemble yourselves, and form a protestation to cross my just desire. But I will pass that amongst many other wrongs I have received at your hands. The errand for which I have now called you is, to hear what your scruples are in these points, and the reasons, if any you have, why the same ought not to be admitted. I mean not to do anything against reason; and on the other part, my demands being just and religious you must not think I will be refused or resisted. It is a power innated, and a special prerogative which we that are Christian Kings have, to order and dispose of external things in the policy of the Church, as we by advice of our Bishops shall find most fitting; and for your approving or disapproving, deceive not yourselves, I will never regard it, unless you bring me a reason which I cannot answer."<sup>(11)</sup>

Note (11) *ibid.* iii. 246



The ministers protested their humble duty as obedient servants of the King, and asked permission to confer among themselves with a view to returning an agreed answer. The permission being given they withdrew to the Parish Kirk and discussed the problem for two hours, after which they returned to the King petitioning for a General Assembly "wherein these articles being proposed might be with a common consent received".

The King, pressing for an assurance that the Assembly would consent, and refusing to give way to an Assembly unless he had their guarantee, Patrick Galloway suggested that the Bishop of St. Andrews should give their guarantee but he declined, whereupon Galloway offered his own assurance on behalf of the ministers, the King accepted, and agreed that an Assembly should be called for that end, to meet at St. Andrews on the 25th November.

Continuing his Royal tour the King visited the West Country where he had a farewell meeting with the Privy Council in Glasgow on Sunday 27th July when he enjoined on Counsellors the duty of regular attendance at the Services in Holyroodhouse, and attended the baptism of a child by an English Bishop giving the use of his own presence chamber for the service.

On his way South the King noted with disapproval the strict Sabbatarianism of some of his subjects in Lancashire, and one can well believe that at least metaphorically, he glanced over his shoulder at his Scottish Presbyterians as he gave an order that the people should not be barred from honest exercise and lawful recreation after Service. Certainly what he had done was quickly noted, and was probably meant to be noted in Scotland as was the publication a year later of the Declaration extending this liberty to all the shires in England.

The Assembly was held as arranged in November, to give the King satisfaction about the five articles. His Majesty in his letter required the Brethren to



conform to his desire, "otherways, he would use his own authority." In spite of the royal threats and the clerical advices, it did not work out that way, a motion to delay the conclusion to another Assembly to allow the ministers time to inform the people as to the equity of the articles was carried; in the hope of giving the King some satisfaction, <sup>ment</sup> an amended ~~not~~ permitting private communion in certain circumstances was agreed, and it was ordained that in future the Minister should give the Elements out of his own hands to the people. The Assembly rose having given instructions that these three decisions be communicated to the King. (12)

His Majesty was far from pleased with the outcome of the Assembly and wrote to the two Archbishops on the 6th December to say he considered the discussions disgraceful, that he commanded them to keep Christmas precisely in Edinburgh and Glasgow personally, and in St. Andrews by deputy; to urge as many of the other Bishops as they could get in touch with in time, to preach in their own Sees on Christmas Day, and to withhold all modifications of stipend from ministers unless they were known to be doing their best to secure the acceptance of the proposed articles. Finally the King wrote in his own hand "Since your Scottish Church hath so far contemned <sup>my</sup> ~~by~~ clemency, they shall ~~not~~ find what it is to draw the anger of a King upon them." (13)

Five days later he wrote to St. Andrews that he had received the official extract from the records of the Assembly setting forth the two acts; he wrote contemptuously of each and said of both that he wished they had been refused with the rest. "In conclusion," he wrote, "seeing either we and this Church here must

Note (12) Botsford. 520 & 522 for Letters from Secretary and Bishops to King

(13) *ibid.* 524  
and Spottiswoode iii 248 & 9.

be considered idolatrous on this point of kneeling, or they reputed rebellious knaves in refusing the same, and that the two aforesaid acts are conceived so scornfully, and so far from our meaning, it is our pleasure that the same be altogether suppressed, and that no effect follow thereupon". (14)

At the same time the King directed a letter to the Council ordering them to inhibit "the payment of stipends to any of the rebellious ministers, refusers of the said articles either in Burgh or Landward, till they did show their conformity and that the same was testified by the primate or ordinary Bishop."

According to Spottiswoode when the contents of this letter were known, many ministers repented their wilfulness and urged him to such a show of obedience as might incline the King to be forgiving; he, for his part, begged and finally secured a stay of execution until the behaviour of individual ministers should be tried in the particular Synods - he insists that the King was loathe to exercise any rigour against ministers.

1618 opened apparently with a flood of rumours about the King's intentions - to discharge Presbyteries and Kirk Sessions, to allow no more Assemblies or Conventions of ministers, to withhold stipends from ministers who refused the five articles. In this atmosphere, the Bishop of St. Andrews summoned his fellow bishops and a number of ministers to a meeting in the Little Kirk of Edinburgh on 26th January, at which a letter from the King was read requiring that those present should approve the five articles, with instructions to the Bishops to suspend from ministry and stipend any who failed to testify their consent in writing. The ministers insisted that the manner of proceeding was sudden and violent while the matter was of great importance and they must have

Note (14) Botsford. 525

& Spottiswoode iii. 249 & 50

time to consult with the whole brethren of the ministry.

Two days later a Proclamation was issued for the observing of Holy Days with certification that these who did not conform would be punished as disobedient, rebellious persons.<sup>(15)</sup> About the same time the Bishops sought to mitigate the consequences of the Edinburgh meeting by asking the King to continue the Commission for the provision of stipends, which was due to expire at Lammas, and took the occasion to express their hope of persuading ministers to obedience at the diocesan Synods. The King replied that <sup>after</sup> the past obstinate resistance of the ministers he could only expect from them in their meetings a further expression of their former misbehaviour. He would however accede to the request of the Bishops and approve the commissioners for stipends going on with their work of providing for Churches, but on the clear understanding that the Bishops "in their own persons and in their own Cathedrals, observe the festivities that should intervene betwixt and the Synods, and minister the Holy Communion with the reverence required, at the feast of Easter next."

Shortly before Good Friday the provost and baillies of Edinburgh received a letter from the King requiring them to see that the citizens observed the day in accordance with the Proclamation and on Good Friday the Bishop of Galloway preached in the Chapel Royal to a congregation convened at the King's direction. The Royal instructions for the celebration of communion in Cathedral Kirks on Easter Day were carried out, "many of the people kneeling on their knees", and the King made known to the Privy Council his will that they should communicate in the Chapel Royal on Whitsunday, which at least some of them did. So the pressure of the Royal influence was kept up.

As noted earlier, the King on Whitsunday issued a Declaration concerning

Note (15) R.P.C. 1. xi. 296.



lawful sports and games on the Lord's Day, and other Holy Days, copies of which arrived in Scotland early in June. While the Declaration applied to England and only to England, no-one could miss the significance of the sentence "Our pleasure likewise is that the Bishops of that diocese take the like strict order with all the Puritans and Precisians within the same, either constraining them to conforme themselves, or to leave the countrie according to the lawes of our Kingdom and canons of our Kirk; and so to strike equally on both hands, against the contumers of authoritie, and adversaries of our Church."

Commenting on the course of events in the first half of 1618, Masson writes "What was perhaps most notable as time went on was the winning over to the King's policy of a proportion of those among the inferior clergy who had till then been its staunch opponents."<sup>(16)</sup>

Apparently Prince and Prelate were of the same opinion for on 3rd August, by proclamation at the Mercat Cross of Edinburgh, a General Assemblie was indicted and all archbishops and ministers and commissioners, were warned to be at Perth on the 25th of the month. The King, if not the Kirk, had reached the goal - the Perth Assembly; and the outcome was, as we have seen, the satisfaction of His Majesty's desires.

We have not attempted to give a complete and balanced account of the ecclesiastical struggles of the years between say 1610 and 1618 - for that we would have to examine in much greater detail the changing attitudes of Prelates and particular ministers; the ground on which diehards took their stand; the weapons with which it was sought to discomfit them; and the reactions of different sections of the community to the successive assaults. What we have attempted to

Note (16) R.P.C. l. xi. lxii.

do, is to make plain that the Policy was indeed the King's; that it had a double purpose (a) to establish the royal authority in matters ecclesiastical, and (b) to establish a large measure of uniformity in Church practice on both sides of the Border, that it was an essential part of a long cherished plan, that after the first tentative soundings he determined to pursue it relentlessly, that the lesson he drew from the premature attempts of 1616 and 1617, was the absolute necessity of submissive tools in Church and State; and that in August 1618 "after long reasoning, first in the Conference and then in the full Assembly, the Articles were concluded", because by that time he had created a corps of ecclesiastics and politicians who were and knew themselves to be, dependent on the Royal Favour; and because he or his servants had impressed on many Parish Ministers what were likely to be the painful consequences of disobedience to the Royal will.

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LONDON

CHAPTER 4.PERTH ASSEMBLY. (1)

Following upon the Proclamation of 3rd August, and in obedience to particular missives directed by the King to individual subjects, there convened at Perth on Tuesday 25th August - His Majesty's Commissioners, Lord Binning (Secretary), Lord Scoone and Lord Carnegie; their Assessors, Sir Gideon Murray, Sir Andro Ker of Ferniehairst, Sir William Oliphant and Sir William Livingston of Kilsyth; 4 Noblemen, 15 Barons, 2 Burgesses from each of the cities of Edinburgh, Perth, Dundee and St. Andrews, 1 from Aberdeen and 1 from Stirling; Dr. Bruce for the University of St. Andrews; all the Bishops, except Argyll and the Isles; Ministers commissioners from Presbyteries - and according to Calderwood, ministers without valid commission, e.g. he says the Presbytery of Auchterarder chose Mr. Andrew Alane and Mr. James Burdoun - "the Bishop of Dunblane added 7 or 8 unto them". The proceedings opened with an early Sermon by Patrick Forbes, Bishop of Aberdeen who took as his text, Ezra 7 v.23. "Whatsoever is commanded by the God of Heaven, let it be diligently done for the house of God of Heaven" - and "inlarged this grouhd, that nothing should be done or determined in the Church by anie superior power whatsoever, but that which is according to the commandment of the Almighty King."

This was followed at 10 o'clock forenoon, by a second Sermon in the Little Kirk, the preacher on this occasion being John Spottiswoode, Archbishop of St.

Note (1) This section is based upon:-

- (a) Calderwood. vii. 304-335.
- (b) Scot: Apologetical Narration.
- (c) Calderwood: Perth Assembly.
- (d) Lyndesay: True Narration.



Andrews, and the text I Cor. 11 v.16. - "But if any man seem to be contentious, we have no such custom, neither the Churches of God." "He discoursed for the space of two hours, first in defence of ceremonies in general, next, of the five articles in particular." This Sermon is printed in Lindesay's "True Narration".

For the business of the Assembly "there was sett in the Little Church a long table, and at the head thereof a short cross table. At the cross table were set chairs for His Majesty's Commissioner and the Moderator. At the sides of the long table were sett formes for Noblemen, barons, burgesses, bishops, and doctors. The ministers were left to stand behind as if their place and part had only been to behold".

Calderwood, from whom we take this description of the scene, observes, surely not unreasonably, that if it was lack of room in the Little Church that prevented seats from being provided for all Commissioners, they might well have held the meeting in the Greater Church, and concludes that the arrangement was made on purpose to magnify the importance of those who had seats, and to "dash simple Ministers".

Spottiswoode assumed the Chair as by right, the meeting being held within his diocese, and refused a plea for free election of a Moderator. After constituting the meeting with prayer, he intimated that the Clerk of the Assembly had demitted his office in favour of Mr. James Sandilands whom he commended and proceeded to instal, denying the Assembly the right to elect their own Clerk. Ministers were then warned to give in their Commissions to the Clerk before the beginning of the afternoon Session of the Assembly.

A Commissioner asked if all Noblemen, barons and ministers that were present should have power to vote? The Moderator ruled - no Ministers wanting a Commission - but Calderwood says he later did not observe his own ruling - and



further ruled that "voice could not be denied to noblemen and barons who were come upon His Majesty's Missives". Fearing further awkward questions Spottiswoode called for the King's letter which was presented by the Bishop of Winchester, and read twice, "to move the Assembly partly with allurements, partly with persuasions."

Following the second reading St. Andrews addressed the Assembly, disclaiming for himself and for the Church of England any responsibility for advocating the innovations, emphasising that the responsibility was the King's and his alone, that his heart was set on gaining the consent of the Assembly, and that Commissioners would be well advised to yield to the Royal wishes. He then invited the Bishop of Winchester to speak if he wished, or had commission to do so. In a speech which is printed in Lindesay's "True Narration", and copied in Calderwood's History, he sang the praises of the King, criticised the Church of Scotland and urged the Assembly to consent to the five Articles. Dr. Young's speech being ended the ministers who were defenders of the Established order presented a four-fold petition:-

- (1) That none be admitted to vote, but such as had lawful Commission,
- (2) That the liberty of the Church be not broken in the election of the Moderator.
- (3) That the articles proponed in short and general summes, might be put in forme, amplie extendit, as His Majestie would have them enacted, that they may be the better advised and considered.
- (4) That some of either opinion be sett apart to collect and put in order the reasons of either side for the more sure and easie information of the Assemblie.

On the first two, Spottiswoode re-affirmed the positions he had already

taken, and dismissed the third and fourth as unimportant and unnecessary. He then proceeded, before the Clerk had received member's commissions to nominate the Privie Conference as follows:-

The King's Commissioners and their Assessors, The Earl of Lothian, The Lord Ochiltrie, The Lord Sanquhar, The Lord Boyde; Barons Waughton, Wemyss, Balcomie, Bonnitoun, Begie, Clunie, Glenurquhart, Balcarras, Lagge, Balmanno. For the Ministers, Mr. Patrick Galloway, Mr. Henrie Blyth, Mr. John Weymas, Mr. George Crier, Mr. John Carmichael, Mr. Wm. Scott, Mr. Alexander Glaidstone, Archdean of St. Andrews, Dr. Philip, Dr. Strange, Dr. Bruce, Mr. John Hay parson of Renfrew, Mr. Thomas Muirhead, Mr. Michael Wallace, Mr. Thomas Ramsay, Mr. James Knox, Mr. Robert Harrison, Mr. John Guthrie, Mr. John Malcolm, Dr. Forbes, George Douglas, Mr. Patrick Dunbar, Mr. James Bishop, Mr. George Chalmer, Mr. James Samson, Mr. Robert Summer, Mr. David Lindsay, Mr. David Munro, Mr. Archibald Moncrief, Mr. James Burden, Mr. John Mackenzie, Mr. John Mitchilson, Mr. Patrick Shaw, Mr. James Hamilton, Dean of Glasgow, Dr. Hamilton; for the Burghs, Edinburgh, Perth, Dundee, Aberdeen and Glasgow; and all the Bishops. Then appointed the Conference to meet at 3 p.m. that afternoon, the Assembly to meet at 8 o'clock next morning and adjourned the first Session. The most part of the nominees according to Calderwood "was such as were already resolved to yield; others were not expeditated in the state of our Church. Some few of the other opinion were taken in to try the force of their arguments in private, that in public they might either be evadit or suppressed."

"The Conference" or as we might have called it, the Business Committee, met at 3 o'clock in the afternoon. The King's Letter was read again and the Moderator supported it with a threatening speech, according to Calderwood; he then claimed that four of the five articles had already been accepted in the

Assemblies held in Aberdeen and St. Andrews, the phrases used on these occasions were not acceptable to the King but the principles were agreed and revision of the statements need cause no difficulty - the only question outstanding was the Church's attitude to kneeling at the reception of the elements. The King refused to accept the modification proposed at the former Assemblies and was still very angry about the outcome of the St. Andrews Assembly.

The Archbishop suggested that, to secure the favour of the King, the Conference should proceed to ~~vote~~ on the article anent kneeling without further debate; naturally this was opposed and on a vote being taken the majority was for debate before voting.

This being agreed, the defenders of the established order reiterated their plea for clarification of the proposals, pressed that the burden of proving that the changes were necessary or expedient should be laid on those advocating the changes; urged that full opportunity be given for discussion in the hearing of the whole Assembly, and that the principal arguments should be set out in writing and answered in writing, and that the work of drafting these statements be remitted to one or two from each side of the debate.

The Moderator rejected the proposals on his own responsibility without reference to the Conference, and ruled that the burden of the proof that the articles were impious and unlawful lay on the defenders of the established order; and if they could not do so they must be judged to have condemned themselves as disobedient to their Sovereign. The rest of the afternoon was spent in debating procedure, and the unreasonableness of the position into which the Moderator was seeking to force the defenders of the status quo, until the Conference adjourned to meet at 8 o'clock next morning - the hour already appointed for the second session of the Assembly.



On Wednesday 26th August the Conference had two Sessions - at 8 a.m. and 4 p.m. Members of Assembly gathered at 4 p.m. but were asked by the Moderator to withdraw so that the Conference could complete the preparation of business - in the hope that the Assembly would be able to complete its business the following day. The Sessions of the Conference were occupied with addresses from the Chair, a debate as to whether the duty of the Conference was not limited to preparing business for debate in the Assembly, whether it had any right to vote, and whether it could vote without prejudicing the free discussion in the Assembly. Spottiswoode argued in support of the course which he proposed by analogy with the relation of the Articles to Parliament and that in any case a vote in Conference would not determine the matter but only determine the advice which the Conference would offer to the Assembly.

that  
On ~~the~~ understanding the Conference voted for or against kneeling and it carried for the change of gesture - only ten or eleven members voting against.

It was then moved by the defenders of the established discipline to set out the five articles in the exact form in which it was proposed that they should be enacted. After a long debate it was agreed by a majority that this should be done, and a Committee was appointed consisting of some of the Bishops and Doctors to prepare the drafts. The Conference then turned to consider problems of Simony, the planting of the Kirk of Edinburgh, and order to be taken with beggars, and so concluded its business and the second day of the Assembly.

When the Assembly resumed its Session on Thursday 27th August the first part of the day was occupied with hearing a Sermon, preached by the Bishop of Galloway, upon the text "Let us therefore follow after the things which make for peace, and things wherewith one may edify another." (Romans 14 v.9.) Naturally Calderwood attacks the preacher for "setting at nought the ancient order of our

Church, sometimes highly commended by himself"; and Lyndesay defends him with equal vigour.

After dinner the Assembly took up its business when the Archbishop and the King's Commissioner combined to press that the business should be concluded with the minimum of discussion, and the least possible delay, and by a vote which satisfied the desire of His Majesty. Ministers pressed for an opportunity for full debate urging that discussion in the Conference was no substitute for discussion in the full Assembly. The defenders of the old rule felt that they were being denied the opportunity for free discussion, and were likely to suffer prejudice in the way the vote was taken, so they gave in a paper in which they declared that all and everyone of "the Articles proponed to this Assembly", closely concerned them in their Christian resolution, and in the offices of their ministry, yet they had been barred from hearing the discussion in the Conference; they were prepared to give in <sup>l</sup>written objections against every one of the articles, and in the meantime they set out fifteen points on which they begged answers before voting. Of these articles, Calderwood says "Two of them were read, but no wayes respected, the rest were suppressed."

Lyndesay says that the Moderator took the paper from Scrimgeour's hand and desired the Clerk to read the same "And when they were perceived to contain no matter of moment, or any new thing, which had not been before talked of, they were cast by, as not deserving any consideration."

This naturally did not satisfy the petitioners and they asked the King's Commissioners to continue discussion of the Articles until their objections could be sent in writing to His Majesty, and his reply received and considered. This request was refused and it was insisted that the matter must be concluded now.

The King's letter was read once again; the defenders of the established

order repeated their demand "that none might have place to vote but such as were authorised with lawful commission", but this was disallowed and the Question put to the vote. Calderwood and Lyndesay have some disagreement about actual phrases used but are agreed that the vote was essentially "will ye accept or refuse the Five Articles?". The words chosen to distinguish the votes were - "Agrie, Disagrie, Non Liquet".

The Moderator took the Roll and called the names while the Clerk recorded the votes.

Lyndesay tells us that 86 "answered affirmative", 41 denied, with 4 Non Liquets, and that one minister - Master John Murray, Minister at Dunfer<sup>h</sup>line, - was barred from voting "for many reasons concerning himself, not needful here to be expressed".

Calderwood says "His Majesty's Commissioners and their Assessors, all the noblemen except Ochiltree, all the barons except Waughton who went home, all the doctors except Doctor Strange, all the burgesses and a number of ministers, voted affirmative, some few nonliquet".

So on a block vote the Assembly by a m<sup>aj</sup>ority approved the Five Articles. Order was given to intimate accordingly in all Parish Churches and ministers were enjoined to inform their people of the lawfulness of the Articles and to exhort them to obedience. This matter being at last determined the Assembly quickly disposed of its remaining business. Acts were passed requiring Ministers, at their admission to a charge, to swear that they had not entered into any private agreement to diminish the stipend; ratifying the Catechism allowed at the Aberdeen Assembly; requiring ministers to enforce in their own Parishes the act against beggars; and it was resolved that Mr. Wm. Scott and Mr. Alexander Henrisone to be transported to Edinburgh. This concluded the business and the



Assembly adjourned, not to meet again until 1638.

This account of the proceedings of the Assembly is drawn partly from Calderwood's "History" and partly from Lyndesay's "True Narration". Spottiswoode in his "History", did not pretend to give anything like a full account, but for details referred his readers to Lyndesay. Actually there is little disagreement among the various commentators as to what happened, or as to the order in which events happened; the real dispute is over the motives which inspired and determined actions, the interpretation that should properly be put on actions or speeches, the sincerity of the contestants, and the validity of the premises on which each party based its case; in these fields none will compromise, and certainly none will yield.

No-one thought for a moment that a vote in Assembly would satisfy the King unless it were immediately seen to influence the day to day life of the Church, hence the injunction that intimation of the passing of the Articles should be made in every Parish Church, and that Ministers should inform their people of the lawfulness of the Articles and of their duty to obey them.

This would seem to place the defenders of the Old Order in a dilemma. They opposed each and every one of the Five Articles on grounds which they at least claimed were rooted in conviction - but the Assembly had adopted the Five Articles, and as good Presbyterians they were bound to the Doctrine that the Assembly was the Supreme Court, that only the Assembly could legislate for the Church, and by corollary, that what the Assembly enacted even if only by a majority, was lawfully binding on the Church. They were held - if indeed a properly constituted General Assembly, acting constitutionally had passed the Five Articles. This problem had to be faced immediately, it determined much of the conduct of the Campaigners, and profoundly affected the course of the campaign.

Claims that the Ballot was rigged, that the Jury was packed, or that the Judge misdirected them, are standard weapons in the armoury of those who fight apparently losing battles, and as such need not be taken seriously. The battle over whether Perth was a "Real" or "Pretended Assembly" however, was such a constant element in the campaign of the next twenty years that it cannot be passed over unremarked.

But first of all let us consider Calderwood's strictures on the composition of the Privie Conference - the first, and by far the most important of these, was that the majority were chosen because it was known that their minds were made up and that they were in favour of yielding to the wishes of the King. It would be natural to expect H.M. Commissioners and their Assessors to support their Royal Master's Policy, they could hardly do otherwise. Equally obviously it would take strong conviction to persuade Noblemen and Barons, who attended by the King's Commission, to oppose his policy, and we have seen that when it came to a vote in Assembly, Waughton avoided declaring his hand by going home and only Ochiltree voted against kneeling, probably a fair guide to how voting went in the Privie Conference. All the Archbishop's efforts were directed towards giving the King satisfaction, and it is only reasonable to expect that, throughout the Assembly, the other Bishops would support him.

Thirtyfour ministers were appointed to the Conference, of whom not more than six or seven were to identify themselves prominently with the Non-Conformist Movement in days to come.

This meant in effect that the Archbishop went in to the Conference knowing that in a vital division, he could count on some 30 votes for giving the King satisfaction before ever a minister cast his vote; and that he could hope with reasonable confidence, that not more than one in four or five ministers would vote

against giving the King satisfaction. The majority was surely safe, and must be substantial. In the Conference it was, not more than a dozen members voting against kneeling.

This pattern of voting however was not repeated in the Assembly itself where according to Lyndesay "86 answered affirmative, 41 denied with 4 non-liquets", and certainly did not foreshadow the response of the Church at large.

The second criticism on the ground of the appointment of men, "not expeditated in the state of our church" is of much less substance, unless the number of such men appointed could be shown to be excessive - a point difficult to prove. When the object of entering into Conference is the gaining of some advantage it is only common sense for the parties to be represented by skilled negotiators. But the selection of a Business Committee is a very different matter, here a preponderance of experienced members certainly will make for efficiency, but there is place for some less experienced members - how else will the leaders of tomorrow gain their experience? The purpose of the Conference, as the Non-conformists were very ready to point out, was not to fight the battle but only to prepare the business for the Assembly, and in that work experienced and inexperienced could have co-operated, as indeed they often have co-operated, without prejudice to the value of the decisions taken.

Whether Calderwood read the mind of Spottiswoode aright when he marked the names of Wm. Scott, John Carmichael and others in the Roll of Privie Conference and concluded that they were there in order that "the force of their arguments might be tried in private, that in public they might be evadit or suppressed" cannot now be determined - but we can and should recognise that it is an inevitable hazard of the game. The Non-Conformists wanted representation in the Privie Conference; the price of representation was the acceptance of the risk that the Conformists



learnt more than they already knew of the strengths and weaknesses of their arguments, and so were enabled the better to organise their own defences. For this simple fact those who nominated the Conference cannot properly be blamed.

The second and third strictures can be dismissed as irrelevant and without serious significance, not so the first, which surely was fully justified and uncovered a determination to manipulate the Assembly so as to secure satisfaction for the King.

Irregular as the appointment of the Privie Conference was, and making full allowance for its influence on the proceedings, that in itself would not be sufficient to invalidate the Assembly. To justify the claim that Perth was no true Assembly, but only a pretended one, Calderwood and his companions had to produce much stronger arguments than that the Moderator manipulated the Privie Conference, both in its composition and by the improper extension of its powers. To this task they applied themselves promptly and with vigour. By the Spring of 1619 "Perth Assembly" was circulating round Scotland, its second section which ran to over seven pages was entirely devoted to setting out reasons why it should be judged null and void, and it is surely proof of the cogency with which this was done that Lyndesay, writing his "True Narrative" thought it necessary to state each objection in turn and to answer it in detail - this exercise occupying pages 73 to 117 of his work. Unfortunately for the purpose of serious debate Lyndesay declined to accept the premise which underlay all Calderwood's arguments, namely that continuity was essential to the Church, with the result that the battle was never really joined and neither persuaded the other.

From the point of view of the historian, this long range sniping had one great merit - it kept the issues open, and when in 1636 Calderwood published "A Re-examination of the Five Articles" the authority of the Assembly, or rather

its lack of authority was still vital to his argument and so in a prefatory letter to the Reader he recapitulated the reasons against accepting Perth as a valid Assembly in a passage which is worth quoting in full. He wrote:-

"We are still charged with frowardnesse, that we ever except against assemblies when we have them..... Can we acknowledge that convention at Perth anno 1618, for one of our lawfull general assemblies? The pretended primat occupied the place of the Moderator, without the election of the assembly whiche was contrare to the order ever observed in the Church, even when we had Superintendents, and contrare to the cautions agreed on at Montrose, anno 1600, and at Linlithgow, anno 1606. Those who were ~~instituted~~ <sup>tituled</sup> bishops, wanting commission from Presbyteries, where they should make residence, had place to vote contrare to the cautions agreed upon at Montrose, and notwithstanding they had put in practice before kneeling, and observation of festival days. More Ministers than three out of a Presbyterie were admitted, or rather drawn to that meeting to give their voice, some Moderators of presbyteries, being the bishops' substitutes were admitted without commission. No baron ought to vote according to the Act made at Dundie, anno 1598, but ane out of the bounds of a presbyterie having commission. But a number were present at this Assemblie, being only required by His Majesties missives, and their voices were numbered with the rest.

Some Ministers were the King's pensioners or looked for some augmentation of stipends, or were threatened <sup>in</sup>privat by their diocesan bishops with deposition, or were circumvened with promises that they should not be urged with practice. Necessitie of yielding was urged under no lesse danger than of the wrath of authoritie, and utter subversion of the order and

and state of our Church.

Such as had courage to oppose, were checked, interrupted threatened; yea, it was plainly professed, that neither reasoning nor voting should carry the matter. All the five Articles were put to once voting with this certificat, Hee that denieth one should be reputed to have denied all. Much more might be said to this purpose, but these few particulars are sufficient to justifie our exceptions against that Assembly as null in itself."

It is interesting to compare this summary with the longer statement set out in the original "Perth Assembly" to note the close similarity between the two catalogues of objections, and to mark the one or two differences. In 1618 - 1619 Calderwood's first objection was to the manner of summoning the Assembly, and the inadequacy of the notice - in these respects it followed neither the requirements for an ordinary meeting following on adjournment nor those for a meeting pro re nata - and in these grounds he would have it declared null and void.

Moreover, presumably on account of the inadequacy of the notice, no commissioners were present from the Synods of Orkney, Caithness, Argyll and the Isles, nor from divers Presbyteries; and he argues, somewhat rashly, that in time past this kind of neglect of persons entitled to vote has made meetings of Chapters and Councils "void and of none effect" - and should have the same effect regarding the Assembly.

All the objections except these are repeated in 1636, from which it seems reasonable to conclude that these, and these alone, had proved vulnerable to attack, and so were discarded as not furthering the cause.

Lyndesay, as we have noted, answered each of Calderwood's objections in



detail when he wrote his "True Narration", but all his arguments can be summed up in two sentences:-

"The Acts and Customs under Presbyterial Government must not rule us now" and "Your late orders we regard not, and tell you now againe, that your Presbyteriall and confused Government is ceased".<sup>(2)</sup>

So they confront each other over a gulf which there is no bridging. Before concluding this section however, we may reasonably look behind the controversies~~alists~~ to the Church in action.

The Synod of Fife, meeting on April 4th 1618 recorded this opinion, "Anent the directing of Commissioners to the General Assembly when it shall please His Majesty to apoynt ane, it was thocht expedient that such man sal be nominat furth of every Presbyterie as ar wyse and discret, and will give His Majesty satisfaction anent their articles proponed by His Highnesse Commissioners in the Laitt General Assemblie helden in St. Andrews."<sup>(3)</sup> From the point of view of the Archbishop an eminently suitable arrangement which he saw no reason to conceal or to be ashamed of; from a Presbyterian point of view, a plan which was, in itself, sufficient to invalidate the whole Assembly. Accept Lyndesay's premises and there could be no argument, for there was nothing left to argue about but before you can accept the premises you must agree that the King, by a power inherent in his Sovereignty has created a new Kirk - a thesis as dangerous as it was unacceptable to a majority on both sides of the debate. Calderwood and those for whom he spoke certainly could not accept it; they called, and for twenty years would continue to call for "no other assemblies than such as shall be

Note (2) Lyndesay: True Narration 77 & 92

(3) SRO CH 2 154/1

constitute according to the order agreed upon with His Majestie's own consent, in the General Assembly holden, anno 1598, such as shall have libertie to convene the Church, such as shall have freedom in their proceedings. It was dangerous to acknowledge every meeting, which claimeth to itself the name and authoritie of a general assemblie".<sup>(4)</sup> To that declaration they stood throughout the conflict, and by that standard they condemned Perth as no more than a "pretended Assemblie".

The leading controversialists had no doubt as to the ground on which they stood, must the student of the period take his stand beside one or the other, and how shall he determine where he should take up his position? Certain facts must be faced - The General Assembly meeting at Dundee in 1597 at its last session enacted:- "that in all tyme coming, three of the wysest and the gravest of the brethren sal be directed from every Presbytery at the most as Commissioners to every Assembly; and that none presume to come but commission, except they have a special complaint; and that the Clerk of the Assembly take heid to receive no more in commission bot thrie allanarlie, as said is; and lykewise that ane be direct from every Presbyterie in Name of Barrones, and ane out of every burgh except Edinburgh, quhilk shall have power to direct two Commissioners to the General Assembly".<sup>(5)</sup> If that be the guide then beyond all doubt or question Perth was grossly irregular in its constitution, and probably half those who voted for the Articles had no business to be there. But it has to be borne in mind that the Assembly meeting in Linlithgow in 1606 decreed that "The Moderator of ilk Presbytery and Provincial Assemblie with their Scribes, being chosen, faithful, wise and formal men be astricted to be present at all Generall

Note (4) Calderwood ~~iii~~ Re-examination of the Five Articles. To the Reader. 5.

(5) B.U.K. iii 947.

Assemblies as members thereof", and further agreed "That it shall be leisum to ilk Presbytery to send Commissioners to the General Assembly, by and altour the Moderator and Scribe, two or thrie according to the Act of the General Assembly anent the Commissioners from Presbytery to General Assembly, if they shall think it expedient".<sup>(6)</sup> And the Assembly of 1612 gave Bishops the right to assume the Moderatorship of Presbytery, and so to claim a seat in any General Assembly; they did not however give the Archbishop the right to assume the Moderatorship of the General Assembly.

The effect of these acts would seem to be to justify the presence of some Members who would not have been entitled to be present on a strict application of the Act of 1597; but to insist on a rigid application of that Act would be to put back the clock and to ignore Acts of Assembly which, at that date, were generally accepted as valid.

Calderwood made a point of the fact that the King, attending in person, would have one vote and therefore should be represented by one voting Commissioner and not, as at Perth, by three with four Assessors, each and all of whom claimed the right to vote;; it has however to be recognised that Perth did not vary substantially in this respect from any of the immediately preceding Assemblies according to the Sederunts recorded in the Book of the Universal Kirk. These facts gave the Conformist some ground for claiming that, according to the standards of recent years, Perth was a valid Assembly. That said, however, it must be added that there never was any authority for attendance by His Majesty's Missive except for the Commissioner and his Assessors, that there was no justification for the presence of Barons, beyond those commissioned by their Presbyteries, no warrant for additional representation from the Burghs, and

Note (6) B.U.K. iii 1033.



none for ministers wanting Commission from their Presbyteries. In those respects the Assembly must be judged irregular and ~~there can be no question~~ <sup>UNQUESTIONABLY</sup> ~~that~~ Spottiswoode had no right to assume the Moderatorship or to deny the Assembly the right to choose its own Clerk.

Though the power lay with the Conformists there can be little question that in this part of the controversy the right lay with the non-conformists and, though it could not be guaranteed in 1618, the fact is that when next the General Assembly met it passed an Act "annulling the pretended Assembly holden at Perth 1618", and the five immediately preceding so-called Assemblies; and the reasons which led them to declare Perth an "unfree, unlawful and null Assembly" were substantially the reasons which Calderwood had advanced against it twenty-five years earlier. (7)

LONDON

Note (7) Acts in General Assembly 1638 - 1842 (Church Law <sup>Society</sup> ~~Trinity~~ edition) 8. hereafter referred to as Acts of Assembly.

CHAPTER 5.THE PARTIES TAKE UP POSITION

The immediate consequences of Perth Assembly were very different from what James intended. First and most significant was the fact that the Church was split, and for the next twenty years would continue to be split into two parties - conformist and non-conformist. Second, and following from this was the fact that the prime concern of each party during these years was to establish its ascendancy over the other party; while third, was the fact that the controversy compelled members on both sides to think out their position in various fields. At few periods can there have been so much thinking and such sustained discussion of questions political, ecclesiastical, liturgical and theological, all with their bearing on the question - to conform, or not to conform?

Conformist and non-conformist had to agree on one thing - that the Ceremonies were Innovations.

In favour of accepting them the Conformist would have been well content to reason that the King willed them, and to leave it at that; were <sup>that not</sup> ~~not~~ enough he would add that they could claim an ancient pedigree and widespread acceptance in the Church, and for good measure would also add that anyway they dealt not with fundamentals but with matters which were indifferent in themselves, and therefore concerning which it was reasonable that men should yield to the Royal preference.

The Non-conformist was not impressed with any of these suggestions, was prepared to say so in no uncertain terms, and from the first, to argue vigorously that the positions taken up by the conformists were untenable.

But the Royal prerogative was only one, and not the most urgent of the problems with which he had to wrestle. There was, as has been noted, the question

of the validity of the Assembly and there was the fact that the non-conformist might any day find himself hailed before the Court of High Commission - it might be well to take no thought until the day came, as to how he should answer whatever charges might be preferred against him; but it would be as well to have considered his attitude to the Court and to the whole proceedings before the summons was delivered: and there could be no doubt that the question which called most urgently for answer was that concerning the validity of the Assembly.

The Presbyterian Party realised at once that if Presbytery was to survive, the Perth Assembly must be discredited if possible, in the eyes of the whole Church; there is no evidence of an organised campaign with this end in view and no one stands out as a local leader of the anti-Perth movement, but there is no doubt the attack was launched without delay and sustained with little or no intromission.

Calderwood, in hiding, turned his mind to preparing a reasoned attack on the validity of the so-called Assembly and by the Spring of 1619, his "Perth Assembly" was circulating in Scotland.<sup>(1)</sup> The importance placed on this publication by the Crown and by the Episcopal Party can only be measured by reference to their counter activities - the Crown launched an immediate campaign to suppress the book, instructions were given for the searching of Book-shops for copies, persons possessing them were ordered to surrender them to be burned at the Mercat Cross of Edinburgh, and by proclamation - "Persons of whatsoever degree were discharged to wryte, scatter abroad, or reid anie libells, pamphlets, or bookes, sett out against the Assemblie of Perth, or against ministers obedient to the acts of the said Assemblie".<sup>(2)</sup> The High Commission was renewed, with

Note (1) Calderwood. vii. 381.

(2) R.P.C. l. xi. 580.



power to summon before them "all ministers, preachers, doctors, or masters of schooles, colliages, and universities, and all exhorting and lecturing readers within the bounds aforesaid, that shall be delated to them for preaching and speaking in public against the present established order of the Kirk or estate, or against anie of the conclusions of the bypast General Assembly of the Kirk, speciallie of the acts of the General Assemblie holden in Perth in the month of August 1618 yiers."<sup>(3)</sup>

For the Episcopal Party, the Bishop of Brechin undertook the formal reply to the attack and in his "True Narration" sought to answer Calderwood paragraph by paragraph, and almost sentence by sentence.

The Bishops generally, in Diocesan Synods, urged ministers to recognise the Assembly and its ordinances. The Bishop of Glasgow held two such Synods during the Autumn of 1618, one in Glasgow and the other in Peebles. The brethren present at the first declared emphatically that they did not recognise the meeting as a lawful Assembly, while at the second the minister appointed to preach on the second day urged the brethren in his sermon to stand to the liberty and government of the Kirk established before the erection of the late Bishops.<sup>(4)</sup> Where persuasion proved ineffective, from time to time as a Court of High Commission they proceeded against critical individuals.

The charges preferred against individuals brought before the Court of High Commission prove that ministers and others<sup>x</sup> continued to refuse to recognise the Authority of the pretended Assembly at Perth, and this was made abundantly clear in 1621 when James summoned a Parliament to ratify the Articles. Ministers from all over the country gathered in Edinburgh to lobby members of Parliament, claiming openly that the "Assemblie of Perth and the Acts thereof were not acknowledged

Note (3) Calderwood. vii. 386.

(4) *ibid.* vii. 339.

by the most part of the ministers and congregations".<sup>(5)</sup>

When they were ordered to quit the city they prepared Informations; Admonitions, and Reasons, why the Five Articles ought not to be ratified, and a Protestation - to be used if Parliament insisted on ratifying the Articles; a main part of the burden of all these was that "that Assemblie was not lawfully constituted, that to ratifie its acts would compass a great many ministers and professors between two dangerous straits - either to practise against the truth as they understand it and have walked in it; or to fall under the breach of a civil law,<sup>(6)</sup> and that it behoved the Lords of Parliament to be careful of what they did "concerning the establishing of the unlawful act of the pretendit Assemblie of Perth".<sup>(7)</sup>

Parliament, to gratify the King, did confirm the Articles - but this did not end the conflict. Many Ministers and professors finding themselves betwixt the two straits which they had foreseen chose civil disobedience; ample evidence of this is surely provided by the fact that, to the end of his reign, James continued to urge conformity on his principal Officers of State and to press for action against non-conformists - such activity would have been quite unnecessary had the opposition virtually collapsed.

When in 1626 Charles was persuaded to grant a sort of indulgence from having to observe the Five Articles to ministers admitted to their charges before 1618, it was hedged with the condition that they should not speak or write against Perth Assembly - unmistakable evidence surely, that at least the older men were still very ready to do so.<sup>(8)</sup>

Note (5) *ibid.* vii. 474

(6) *ibid.* vii. 478

(7) *ibid.* vii. 483

(8) Earl of Stirling: Register of Royal Letters. i. 62.

Moreover this attack on the validity of the Assembly continued to sound in the pamphlets - Calderwood followed the "Perth Assembly" with the "Parasynagma Perthense" addressed to the wider world - and other pamphlets challenged its authority in the text, or in the prefatory letter to the Reader.

But they had to look to their defences at other points besides the validity of the Assembly and its Acts; and in particular to consider their attitude to the Crown and to those instruments by which the Crown sought to enforce its will, i.e. the High Commission and later the Council. The Party challenged all three, on the ground that, (a) only the Church could give the authority to try ecclesiastical offences: (b) any body which derived its authority from the Church must answer to the Church for the use it made of the powers conferred on it: (c) the authority of the Church was vested in Assemblies - national and provincial, Presbyteries and Sessions - and in no other: (d) it was not competent for the Parliament of 1621 to ratify the Articles of the pretended Perth Assembly without reference to the Courts of the Church: (e) the function alike of Parliament and of the Civil Magistrate in matters ecclesiastical was to support the Ecclesiastical Authority.

Individuals, when summoned, defended themselves (i) by denying the competence of the Courts to try ecclesiastical offences, (ii) by denying that the action with which they were charged constituted an offence - because the Articles were commendatory rather than compulsory, and both the Articles and the Act of Parliament lacked definition of the offence and specification of the penalty.

When one's conduct was subject to control by Royal Proclamation, by Act of Parliament, or of the so-called Assembly, by Decree of the Secret Council or by judgement of the High Commission it sometimes be<sup>d</sup>came a nice question whether



an alleged offence was ecclesiastical or civil - or how far it might be one and how far the other, and we have situations where men decline the Court, so far as the offence is ecclesiastical and accept it so far as it is civil. This is very important as evidence that the Presbyterians had reached clearly defined standards by which they were prepared to abide.

Two other challenges had to be met -

- (a) the bribe to buy personal security by verbal conformity and no agitating.
- (b) the argument that the Ceremonies were matters indifferent.

The Presbyterians had their answer to both.

So by 1621 the battle is set and the Presbyterians have taken up the positions for which they are to continue to fight, and, in so doing, having<sup>e</sup> largely determined the ground over which the conformists must campaign.

CHAPTER 6.THE LAST YEARS OF JAMES VI.

Discussing the Parliament of 1621, Professor Gordon Donaldson writes that "James secured the ratification of the Articles as part of a bargain in which he promised that he would make no more innovations, and he kept his word".<sup>(1)</sup>

This sentence sums up the Policy and the Activities of the King during the last years of his reign so far as the Scottish Church was concerned. He had not accomplished all the reforms he had intended, but he realised that it was more important that he should if possible, consolidate the gains he had made, than that he should press on to introduce further innovations. Theoretically he had gained his point at the Perth Assembly; in fact, the Parishes, Ministers and people had still to be brought into obedience, and this was the goal of all his ecclesiastical activity during the years which were left to him.

It was his constant endeavour to be well informed and up to date on all that was happening in the Scottish Church; and swiftly and effectively to counter all subversive activities.

A major effort in this direction was the summoning of the Parliament in 1621, the last as it was to prove, of his reign. Its avowed purpose was to raise taxation, the Convention having refused to act in the matter without Parliament, but its importance lies in the fact that it ratified the Five Articles of Perth. James had insisted that there was no need to seek the approval of Parliament for the Five Articles - but he was badly in need of money, and he could only get it from Parliament - so Parliament must meet, and he was persuaded

Note (1) Donaldson: Scotland, James V - James Vii. 209.<sup>11</sup>

to take advantage of the meeting to seek ratification of the Articles.

It is significant that neither the Proclamation indicting the Parliament nor the Proclamation regarding the presenting of Grievances to the Parliament, mentions the Five Articles as being among the business to be before the Parliament.<sup>(2)</sup>

On the 14th March the Parliament was indicted to meet on the 1st June, at the end of April, or beginning of May, those who had suits, articles or petitions to propose to Parliament were charged to give them in before 20th May, so that members of the Council appointed for the purpose, might put them in order against the meeting - no petitions would be heard in Parliament unless they were so given in.

Calderwood points out that<sup>(3)</sup> Ministers, denied the liberty of having a General Assembly were at a disadvantage compared with, say, Town Councils in preparing petitions and Articles to be presented to Parliament, "how-be-it great was the necessity" and "some of the best affected professors in Edinburgh convened, to advise what to do to prevent the ratification of the Acts of the Perth Assemblie at the ensuing Parliament".

After discussion they sent six of their number to ask the Ministers and Session of Edinburgh to join them in requesting the Town Council to include among their petitions one against the ratification of the Five Articles. At every turn however they were opposed by Patrick Galloway and his will prevailed. Finally some Ministers decided to prepare their own petition, but found the Clerk Register very unwilling to receive it and quite unprepared to promise to exhibit it to Parliament.

Naturally there were the usual differences of opinion as to whether the opposition would help or hinder the Cause.

Note (2) R.P.C. 1. xii. 546.

(3) Calderwood. vii. 460.



Authority, fearing trouble, by Proclamation, ordered the Ministers to leave Edinburgh,<sup>(4)</sup> but a later Proclamation modified this by allowing any who had licence of the Bishop to remain; this concession however was nullified by the Bishops refusing licence to any "unless they would promise to make no interpellation nor intercession, private or public, against the Five Articles".<sup>(5)</sup> In these circumstances, the Ministers prepared Informations, Admonitions, and Protestations which fill above a dozen pages in Calderwood.<sup>(6)</sup>

Parliament met on 25th July, special precautions being taken to secure that no Ministers got inside the Parliament House unless they had a special pass from the Bishop. Spottiswoode opened the proceedings with prayer, the reading of Romans 13.v.7, and an address. The Marquess of Hamilton, as King's Commissioner, followed with an address in which he stressed the urgency of the King's need and the extraordinary extent of his support and help to persecuted Protestants and reformed Kirks. "He spake of the Five Articles, under the name of matters of Kirk discipline, which had been concluded in former assemblies, and practiced in the primitive kirk, and were not forbidden by the Word of God; and consequentlie able to be defined by the prince, who hath lawful power to command in things indifferent, He said he doubted nothing of their good affection, and concurrence to His Majesty's reasonable desired, and he would let His Majesty know every man's part. He promised in the King's Name, that if they would consent to the Five Articles they should never be urged with more ceremonies."<sup>(7)</sup> Finally "he exhorted them to go cheerfullie to the election of the Lords of the Articles"; whereupon the King's Commissioner, the Nobles, the prelates and the

Note (4) R.P.C. l. xii. 546

(5) ~~ibid. vii. 475~~ Calderwood.vii.475.

(6) ~~ibid. vii. 475~~ - 487.

(7) ~~ibid. vii. 489~~.

Officers of State went into the Inner House to do so. The Bishops chose eight Noblemen, who then chose eight Bishops to sit with them, and then, together, they chose eight Barons and eight burgesses to complete the Company. This method of electing "The Articles" obviously put the Bishops, presumably King's men, in a very powerful position and Calderwood tells us that they used their power to secure a Committee in which there was a large measure of agreement which was further strengthened by the Officers of State sitting and voting with them, though not elected. In due course the Articles reported to the full Parliament, and Parliament by a majority ratified the Act of Assembly, and having transacted its other business rose on 4th August. The same night Dr. Young and Lord Scoone set out for Court to report to the King, and Sir George Hay, Clerk Register, sent a letter by express post which outran them both. On Monday 20th August the Acts of the Parliament were proclaimed at the Mercat Cross of Edinburgh - "as soon as the ratification of the Acts of Perth was endit, Doctour Barclay affixed a coppie of the protestation upon the Crosse, and another on the Kirke door, the third upon the Palace gate of Holyroodhouse, whereupon he tooke instruments with all necessarie solemnities, using the words following:- "Heir, in the name of the brethren of the Ministrie professing the religion as it hath been practised in our Kirk since the reformation of the same, I protest against all these things that hath been concludit in prejudice of our privileges since the first reformation thereof; and adheres to my former protestation made and affixed to the Tolbooth doore and other places, and to all the protestations made in favour of the Kirk in the time of preceeding parliaments".<sup>(8)</sup>

In spite of the Protest, the late Summer of 1621 ought to have found James triumphant. He had bent both Assembly and Parliament to his will; he had firmly

Note (8) *ibid.* vii. 507.

established Bishops to be the channel of communication between himself and the Scottish Church, and to be the agents of his policy; in the Court of High Commission he had clothed them with the power to enforce his will; and he could reasonably hope to intimidate the Ministry with threats of deprivation, or for lesser misdemeanours with interference with their stipends. Surely the Royal Authority had asserted itself successfully?

It is obvious however that, for all the apparent success of his scheming he was well aware that he had by no means won the campaign for his conception of a "decent and comelie order" in the Scottish Church. The famous letter, directed to the Bishops on 12th August, ordering them to use the sword which "is now put into your hands", and containing the threat, "if anie or all of you be fainthearted, we are able enough, thanks to God to put others in your place, who both can and will make things possible which ye think so difficult", can hardly have been written by one who felt secure in his victory.<sup>(9)</sup> And surely the same awareness of the strength of opposition to the Royal will prompted two letters to the Council. The first, received in August "willed Mr. Robert Bruce to be cited for breaking the bounds of his confinement, and coming to Edinburgh in time of Parliament to move sedition".<sup>(10)</sup>

The second, received in October, opens with the sentences, "whereas the Church orders concludit at Perth are now established for law, we are resolved that none having promotion by us shall be disobedient thereto", and goes on to say - "If any counsellor or Sessioner shall refuse or make difficulty you shall assure him, that if within fourteen days before Christmas next he do not resolve to conform himself he shall loose his place in our said service".<sup>(11)</sup>

Note (9) Botsford 662.

(10) vide *ibid.* 665 & R.P.C. 1. xii. 564

(11) Botsford. 671.





Evidence, should that be needed, that there were still some nobles who were prepared to support the presbyterian cause.

There was ground of course for the King's boast that he did with his pen what his forefathers had been unable to accomplish with the sword. It is true that the Council carried out his orders, that Provosts and Magistrates trimmed their policies to suit his instructions, and that, at his bidding, the High Commission busied itself with the prosecution of non-conformists. But it is equally true that non-conformity was neither silenced, nor suppressed; and that there were good grounds for the fear which Spottiswoode expressed when, in 1623 he wrote: "As for our church matters they are gone, unless another course be taken". (12)

James could never escape his nervousness about what preachers, even students might be saying in the pulpits of the land. In defence of his ideas he was prepared to approve the burning of Paraeus' Commentaries on the Epistle to the Romans; to take offence at the appointment of the "gifted and peaceable Mr. Robert Boyd" as Principal of Edinburgh University; to insist that "the law should be put in execution without delay against both papists and puritans", and to order that the English Liturgy should be read both morning and evening in the New College of St. Andrews, the students being compelled to attend.

The fact is that at no time was deference to the Royal will, even when that will was backed by Acts of Assembly and Parliament, strong enough to silence criticism of the Five Articles. There were always thoughtful men to object to particular Articles and to object to the Articles as such. They took exception alike to the manner of their introduction and to the manner of their enforcement: they rejected the theories that underlay them, and which could alone justify their

Note (12) Botsford: Original Letters ii. 713.

enforcement. The objections were both fundamental and all-inclusive, because they expressed the conviction that the Articles and the policy of which they were a part, were a denial of the past of the Scottish Church, an imposition of the Royal Prerogative in a sphere where it did not belong, and an unreasonable imposition of Anglican Forms - which might very easily prove a half-way house on the road to the imposition of Romish Forms. These convictions were held much more widely and much more tenaciously than many writers have been prepared to allow, and provide at least a strong undercurrent in the ecclesiastical life of Scotland from 1618 to 1638 and beyond.

We may end this chapter as we began, with a quotation from Dr. Donaldson. In "Scotland James V - James VII", he writes of this period, "The Articles were in practice widely disregarded, but the King became less concerned with them for their own sake than as a test of obedience, and his sharpest hostility was reserved for the hard core of the non-conformists, who did their best to keep opposition alive and who were active at the Parliament of 1621 in trying to influence the members against consenting to ratify the Articles".<sup>(13)</sup> To the end of his life the hostility was sharp and unrelenting, but the core was hard, active and successful in keeping opposition alive.

Note (13) Donaldson: *supra.* 210

CHAPTER 7.IN THE CHURCH COURTSA. THE HOLIE SUPPER

Prior to the Perth Assembly the celebration of the Lord's Supper was regulated by the accepted principle that it should be at least four times a year in Burghs and twice in Landward Parishes.<sup>(1)</sup> The actual dates were determined by the Kirk Session, and in the country were arranged to fit into the pattern of the life of the Community - in Spring, late enough to allow the work to be well in hand, and in Autumn after the Harvest and before the storms of Winter - and the celebration was not always completed on one Sunday.

From 1614 onwards, for those who accepted the authority of the Crown in matters ecclesiastical, these general principles were modified by Royal Proclamation that one of the Celebrations should be on Easter Day;<sup>(2)</sup> a first step, as time was to show, on the road to a complete and radical reform of Scottish Worship on which the King had set his heart.

At Perth, as we have seen, the Assembly yielded to the Royal pressure. We may presume that James now dreamed of a land in which at Pasche, and hopefully, increasingly at Christmas, the Sacrament would be celebrated in every Kirk, and would be received reverently on his knees, and from the hands of his own minister by every member in good health and good standing. A noble vision of one nation united in adoration. But the dream was never realised because the dreamer was blind to the three great realities (a) the practical problems of parish organisation; (b) the severity of a Scottish winter and its effect upon Scottish communications; and (c) the strength of the opposition both to his ecclesiastical

Note (1) B.U.K. iii. 1142

of Book of Discipline - Knox: Hist. (ed. Croft Dickinson) 313

(2) R.P.C. 1. x. 215.



pretensions and to his liturgical Theories.

(a) The Manner of Ministration.

It is not easy to visualise how exactly the Sacrament was celebrated "conforme to Perth Articles", or indeed to be sure how it was intended that it should be celebrated. The relevant Article requires that the Communicant should receive it "reverently upon his knees" - but that is all, but there is evidence that, though it is not expressed in the Articles, some thought it necessary that the communicant should receive from the hand of the minister, enacted as we have seen at St. Andrews 1617, but, as we have also seen, contemptuously rejected by James. There is no evidence to suggest that the congregation was expected to come forward in orderly manner, kneel at an altar rail to receive and then return to their places, making way for those who had still to partake, and such evidence as there is suggests that this was neither practised nor contemplated.

John Livingstone, recalling how the Lord "engaged him in an opposition to kneeling at the Communion", when he was at the College of Glasgow, tells<sup>(3)</sup> how with some companions, he attended a Communion service conducted by James Law, Bishop of Glasgow. When the Bishop bade the communicants to kneel, the students continued to sit - "he (Law) came to us demanding us to kneel or to depart." Livingstone defended his own, and his friends' action, Law "caused some of the people about us to rise that we might remove, which we did".

A reference by Livingstone to being excommunicated from "the table of the Lord", coupled with the need for some to rise to let the students leave, suggests that, at least on this occasion, Law was following traditional practice to the extent that the intending communicants were seated on benches at a table, or tables,

Note (3) Select Biographies. 397

created for the occasion; and this would appear to find confirmation in two unlikely quarters - Aberdeen and Duffus. A Minute of the Kirk Session of St. Nicholas<sup>(4)</sup>, dated 22nd March 1618 records that the Session "found it expedient, for the better heāp of the peer, that two of the Magistrates stand at the ende of everie tabill in both ye kirkes intime of the Ministration of the holie communion and demand of everie communicant at their rising from the tabill some alms for the poor according to the forme observed in reformed congregations in the south part of the realme".

Admittedly the date is prior to that of the Perth Assembly, but not before the King's wishes were known, and the Bishops engaged to further his plans. This was the Session over which Patrick Forbes presided, and there is no evidence to suggest that following the Assembly he made any substantial changes in their practice.

The evidence from the Parish of Duffus<sup>(5)</sup> is dated "March 18th 1638, being Good Friday" and a clear eight months before the Glasgow Assembly. A service of Preparation, apparently was held that day as witnessed by a Collection for the Poore amounting to over Twenty Four Pounds, and the Session Meeting appointed two of their number "to receive the collection at the Kirke door the next Sabbath, being the first of the two sabbaths whereon, God willing, the Communion is to be celebrated" and four of their number "were appointed to attend and serve at the Tables".

The Minutes of the Kirk Session of the Canongait in Edinburgh, and of St. John's in Perth regularly record detailed arrangements for the division of duties between elders at Communion Seasons, including the appointment of those

Note (4) SRO CH2. 448/3.

(5) SRO CH2. 96/1.

to carry the Bread, and the Cuppes and the Stoupes, and, in the case of Perth, others to fill the cuppes".<sup>(6)</sup>

When we read in the records of Aberlady (1633)<sup>(7)</sup> that two elders are appointed "as collectors of the alms and keepers of the Kirke door and to help the rest of the elders and deacons to serve at the Tables"; - in those of Stow (1637)<sup>(8)</sup> that "the Communion is, God willing, to be upon the next Sabbath and therefore the session ordains the elders to attend at the Collection and at ye tabills" - and in those of Yester<sup>(9)</sup>, under date 19th April 1629, "This day the Holy Communion was celebrat by the Lord's assistance iiTables", we are in the land of Non-Conformity as far removed as possible from Duffus and certainly from Aberdeen. In these and similar Parishes, we may confidently picture a celebration according to the Reformed tradition with the people seated at long tables covered with linen cloths, and the elders fulfilling a function very similar to that which is still theirs at the Presbyterian Communion. But what was there for them to do at a Celebration where the Distribution was a matter between the Minister and the Individual Communicant? It may well be that the main differences between a Conforming and a Non-conforming Communion lay in the three facts that at the former the the Communicants knelt at the moment of Reception; that they received the Elements from the hands of the Minister; and that the Elders, instead of distributing to the people, attended on the Minister so that the Elements were always ready to his hand as he moved among the congregation. The one thing of which we can be certain is that the Articles <sup>uni</sup> did not secure ~~con~~formity throughout the land in the manner of Celebration. John. Scrimgeour, Minister at Kinghorn<sup>(10)</sup> defending his non-conformity before

Note (6) SRO CH2 122/2  
SRO CH2 521/8

(7) SRO CH2 4/1

(8) SRO CH2 338/1

(9) SRO CH2 377/1

(10) Calderwood. vii. 421.



the High Commission, could say without contradiction that "Perth Assembly did not lay down any express form of ministration, and certainly did not give its authority to any of the forms which are presently being practised where alteration has taken place"; and, in 1633, the Presbytery of Perth could tell John Row, Master of the Grammar School, that kneeling "was not insisted upon at Perth, nor almost any other part of Scotland. The communicants were generally left at their liberty either to kneel or to sit still upon their seats when they received the elements", and added that while both ministers at Perth "went round the table and gave to each of the communicants the elements out of his own hands: Mr. Ninian Drummond, Minister at Kinnoull did not give the elements in that manner".<sup>(11)</sup>

(b) The Time of Celebration.

We have seen that the Five Articles have nothing to say as to the times and seasons at which the Communion should be celebrated, perhaps because James had already made it perfectly clear that it was his Royal Will that there should be a celebration in every Parish Church at Pasche in all time coming. To that ideal

Note (11) SRO CH2. 299/1

For evidence as to the trend toward non-conformity compare the above with:-

- (a) Minute of the Kirk Session of Perth 25 March 1619.  
Proposition being made if they will agree and consent that the Lord's Supper be celebrat at this burgh conform to the prescription of the Act of the General Assembly made thereanent last holden at Perth or not, viz That the Ministers give the bread and wine with their own hands to the communicants, and that they be humbled upon their knees and reverently receive it? And being voted all agreed in one that the celebration thereof be made according to the Act.
- (b) Extract from the Chronicle of Perth March 28 1619.  
The Sacrament of the Supper geivin on peace day by Mr. John Guthrie, minister, out of his awin hand to all the peopill, and they ressavit it on their knees.

he remained devoted, and the Articles having been accepted he immediately took steps to secure as widespread as possible a celebration at Pasche in 1619.

Public proclamation was made that there should be a celebration in every Parish Kirk<sup>(12)</sup>. Letters were addressed to the Bishops requiring them to celebrate personally and to arrange for others to celebrate<sup>(13)</sup>, and the Lords of Session and Council were required to repair to Edinburgh and receive the Sacraments in the High Kirk "after the maner prescryvit by the ordoure and acts of the last general assemblie" with threats against those who disobeyed, because "those who sittis as law givairs sould by their particular obedience give good example to utheris and to their inferiouris to do the lyke".<sup>(14)</sup>

A main endeavour of the Synod of Fife, or at least the Archbishop, its Moderator, at its meeting in April and October 1619 was to persuade the Brethren toward Conformity, a detailed examination of each minister having shown that some had not celebrated at Pasche at all, while others had celebrated, but not "Conforme to Perth".<sup>(15)</sup>

It was April 1623 before the Clerk could record that "the Communion is found to have been celebrat by the hail brethren, almost, at the ordinary prescrybed time" - in other words, by that year Easter Communion is generally but not universally accepted as normal within the Synod of Fife. We are fortunate in that while we have no records for the Synod of Moray prior to 1623, we do have the records of the Parish of Elgin.<sup>(16)</sup>

Note (12) R.P.C. 1. xi. 454.

(13) REF. MISLAID.

(14) Royal letters etc. from the Archives of the Earl of Wigton. 40. hereafter referred to as Wigton.

(15) SRO CH2. 154/1

(16) SRO CH2. 145/3.

covering the whole of our period, and they bear out that on the 13th March 1619 the Kirk Session decided - "to admonish the people on Sunday next that the Sunday before Pasche Day shall be a day of public fast, and the Sabbath thereafter the celebration of the Communion".

So we know that at least in this Parish and probably in this district Easter Communion was accepted without difficulty from the beginning and certainly became a firmly established custom, but as a day in a Communion season. The appropriate Minute in 1620 reads - "To publish that Pasche day is appointed the first day of Communion for the town, the next two Sabbaths for the Landward", and in 1624 on March 5th "To intimate that the Communion is to be celebrated at Pasche to wit on Sunday before Pasche the first day. Pasche day the Second, and the Sabbath following the Third and Last".

For the Synod of Aberdeen we are fortunate in having the Records of the Kirk Session of St. Nicholas, and while there is no record of the appointment of an Easter Communion in 1619, the Clerk did record the amount of "The collections received for the use of the poore the tyme of the ministration of the Sacrament of the Lord's Supper within both the Kirkes of this burgh this present yeare, during all the three Sabbaths thereof, to wit the sabbath - before Pasche, the pasche sabbath, and the Sabbath after pasche",<sup>(17)</sup> and this becomes the pattern for the Spring Communion in subsequent years.

Inveravon may serve<sup>(18)</sup> as a guide to the practice in smaller parishes in the North and NorEast. The Record begins with the settlement of a new minister at Martinmas 1630, and bears that annually from 1631 to 1638 the Communion was celebrated on Pasche Day - in 1631, immediately following the

Note (17) SRO CH2. 448/3 @ 4.  
 (18) SRO CH2. 191/1.



celebration on 10th April the minister checked the attendance with the elders and it was found that 105 members had participated; in 1632 the Celebration on 1st April was followed by a second on the 15th for those who were sick, or otherwise prevented from partaking on the first occasion; and on 21st April 1633 "because all who were judged worthy could not attend, that day fourteen days appointed for the same action". The aim was apparently to complete the Action on Pasche Day, but if it appeared that the aim had not been achieved a further opportunity was immediately arranged.

When we turn South we find a different and a much more confused situation. The Kirk Session of North Leith<sup>(19)</sup> meeting on Sunday 19th March 1619, "ordains intimation to be maid to the people the next Sabbath that the Communion is to be celebrat within this congregation upon the Lord's Day come aight days and on the Lord's Day come fourteen days", and there are similar minutes in subsequent years, though in the immediately following year the Communion was for some reason delayed until August, possibly for the lack of a regular pastor; while in the year 1633 it was in June and in 1638 in May. This means that, as in the North, you have a Communion season and it also means that, though the mention of Pasche is scrupulously avoided you do have a celebration on Easter Day, and this part of the pattern was repeated in at least some other Parishes, e.g. Tynningham - 25th March 1619 "The quhilk day ye sacrament of the Lord's Supper was celebrat; guide order keepit praised be God. Given to the Kirk ane forme pure".<sup>(20)</sup> Other Parishes appear to have purposely avoided a Spring Celebration and concentrated on a Summer Communion, though some may simply have been adhering to dates which were traditional before 1618.

Note (19) SRO CH2. 62/1.  
(20) SRO CH2. 359/1.

Aberlady<sup>(21)</sup> celebrated regularly in May; Stow<sup>(22)</sup> in the first Sunday of that month, or the last in April. In 1633, 34 and 35, Dron<sup>(23)</sup> celebrated in May. There is no record for '36, and for the next two years the Celebration was in April, but in 1639 it was delayed to 29th July; Lasswade<sup>(24)</sup> shows the greatest variation, the earliest date being 12th April 1618 and the latest 15th September 1633, the celebration being recorded as having taken place once or twice in each of the intervening months. The records of the Parish of Newton do not begin until 1630 and record that the Communion was celebrated that year on 25th July.<sup>(25)</sup>

From the evidence available to us it would seem that over a very wide area a Spring Communion Season, sometimes covering two or even three Sundays, was general; and that throughout much of this area the Sunday, or one of the Sundays was Easter Day, though it was not always acknowledged as such. On the other hand there was a significant number of parishes which resisted all efforts to make them conform in this respect and insisted on celebrating on days well separated from Easter. So, as with his endeavour to change the essential nature of the Scottish Communion Service, James's endeavour to promote Easter communions met with a partial success, but that has to be balanced against the undoubted fact that by insisting on his own way, he divided the Church on both grounds, and stiffened men's resistance to his will in things ecclesiastical.

What of the ideal of Quarterly Celebrations in Burghs and half-yearly in Landward? How far it was forgotten, how far ignored or how far it was found

- Note (21) SRO CH2. 4/1  
 (22) SRO CH2 338/1  
 (23) SRO CH2. 93/1  
 (24) SRO CH2. 471/1  
 (25) SRO CH2. 283/1

impracticable cannot now be determined. Certain it is that after 1618 there is no evidence of it providing the norm for any parish. And such evidence as we have suggests that many parishes were content with an annual celebration. Yester records one autumn celebration on 22nd November 1629.<sup>(26)</sup>

Prior to 1618 North Leith<sup>(27)</sup> regularly had Spring and Autumn Celebrations but, if the Records are to be taken as a safe guide, it would seem that after 1618 we have to wait until October 1638 for an Autumn Celebration in the Parish, and there are many others where, if we can find evidence of one celebration in a year that is all we can look for. Not all parishes, of course, were content with such limited provision, but somehow none succeeded in carrying out a plan for a Second Communion Season with a definiteness comparable to that of the Easter Celebration.

On 21st December 1620 the Kirk Session of Elgin "appointed that the Communion be trys ilk year celebrat at Pasche and at Michaelmas after the harvest immediately".<sup>(28)</sup> But in 1621 it was on 4th December that they resolved to intimate that the communion would be "celebrat in the morning to the Servants and to the Masters of families at X hours; while in 1622 it was recorded on 29th November "Sunday next is the last day of communion", though in point of fact there was ~~an~~ extra celebration on the 22nd December for "theas that were seeck and sic athers as hadnot communicated before". In 1624 it was on 5th December that Mr. David Philp celebrat the communion in the morning, and the Bishop befoir noon". So much for "At Michaelmas, after the Harvest immediately"!

In St. Nicholas, Aberdeen<sup>(29)</sup> the situation was very similar - in August

Note (26) SRO CH2. 377/1

(27) SRO CH2. 621/1

(28) SRO CH2. 145/3 & 4.

(29) SRO CH2. 448/3 & 4.



1619 the Session "thought it meet and expedient that the holie communion be ministered to the congregation in the month of September"; they made the preliminary arrangements, but actually celebrations took place in the beginning of October. In 1620 on 9th November they appointed "the holie sacrament of the Lord's Supper to be ministered, God willing, in both ye kirks of the Burgh this day aught days and the Sabbath next there following" and there was a further celebration in the New Kirk on 24th December, "to those that were at their voyages in time of the last Ministration and sic others as were absent at that time".

In 1621 the Autumn Communion was abandoned on account of plague in the city, and in 1622 it was celebrated on three Sundays in September.

At this point there is a gap in the Records which were not resumed until 1630 by which time the Session appeared to be settling on a December celebration.

The conclusions to which the evidence seems to point are that the official insistence on the absolute necessity of a celebration at Pasche, combined no doubt with a tradition well established in Landward Parishes of an annual celebration led the Church as a whole to accept the idea of an annual celebration; and that where there was a second or subsequent celebration these were not tied to any date in the Christian Calendar, were generally arranged to suit the convenience of the parish at the particular time, and sometimes to provide an opportunity of participating to those who had been prevented or had neglected taking their place at the principal celebrations.

#### (c) The Sacrament as an Instrument of Discipline

While the first of the Five Articles might say, and say in all sincerity, that "there is no part of divine worship more heavenly and spiritual than is the holy receiving of the blessed body and blood of our Lord and Saviour", the Kirk

early realised the disciplinary value of granting to, or withholding from her members the right to receive, and in sympathetic hands this could be used gently and to good purpose. The Kirk Session of the Parish of Dron<sup>(30)</sup> regularly refer to the Sunday before Communion as "the day of preparation and reconciliation", and there is ample evidence that in many parishes members who were at variance with one another were urged to resolve their differences and those who were under discipline were urged to make their peace with the Kirk. In February 1634 the Kirk Session of Bathgate<sup>(31)</sup> had before them a father and son, neither of whom had attended Communion because they were at variance with a neighbour. The Session brought the parties together and effected a reconciliation, they shook hands and promised "to live in amity love and fellowship as Christian brethren, by the grace of God".

In Lasswade<sup>(32)</sup> in the summer of 1628, in preparation for the Communion the minister "calls all those that were not examined in on Tuesday, Wednesday and Friday to the Kirk to be catechisit, otherwise not to communicate. Any that were at variance cause tell the minister or elders that it be amendit, and that they resort to the preaching on Saturday at 2 o'clock". These are surely worthy endeavours to make the Sacrament for the whole parish "a heavenly and spiritual experience".

But as time passed and it proved difficult to secure conformity, now and less desirable elements were introduced into the disciplinary machine by those in authority. Whereas it had been regarded as offensive to come to the Table if you were out of charity with your neighbours, or if for one reason or another you had failed to present yourself for examination, or were under discipline

Note (30) SRO CH2. 93/1  
 (31) SRO CH2. 30/1  
 (32) SRO CH2. 471/1.

perhaps in another parish than that where you proposed communicating, and indeed was still so regarded in many parishes, in other areas and in the eyes of the Authorities, 'non-communicating' became the offence rather than continuing in the state which unfitted you for communicating.

In April 1622 the Synod of Fife<sup>(33)</sup> requires "the Hail brethren to give up the names of ye non-communicants in their several congregations that they be summoned before the hie Commission to be haldin 25th May next to come". And in many parishes, particularly in the Synods of Aberdeen and Moray, this is the sin with which the Kirk Session charges individuals, this is the offence which they are required to confess before the congregation and it is for this that they pay penalties. Two illustrations from St. Nicholas, Aberdeen<sup>(34)</sup> may suffice:- On 8th April 1621 two men and four women were "delaited for not communicating on any of the three by past Sundays", and because they were hardened offenders, they were warned to appear before the Bishop and the Presbytery of Aberdeen". And on the 30th June in the following year "Maister Wm. Paip, being under process of excommunication, entered voluntarily into an undertaking to pay Ten Pounds Scots for every time he is absent from sermon, he being in health of bodie, and within the burgh, and a similar penaltie for non-communicating."

In October 1624 the Synod of Fife<sup>(35)</sup> decreed that none were to be allowed to communicate in Parishes other than their own unless they produced a Certificate from their own Parish Minister to the effect that they normally communicated at home, and ministers who wittingly and willingly failed to observe that rule were to be summarily deposed - and these decisions were to be intimated by all members of Synod on their return home.

Note (33) SRO CH2. 154/1

(34) SRO CH2. 448/3 & 4.

(35) SRO CH2. 154/1.



The Kirk Session of Elgin<sup>(36)</sup> decreed "that none presume to communicat beyond their Parish but all observe their own dayis and ther awin Kirk". In other words - if you lived in the landward area you must be careful not to go to communion on the day appointed for the burgh, and if you were a servant you must not attempt to communicate with the Masters of Households. These and similar measures adopted in other districts were purely repressive, designed, not for the glory of God or to enhance the importance of the Sacrament, but solely to simplify the task of controlling ministers and members and keeping both on the path of conformity. And this devaluation of the Sacrament reached its nadir in Elgin in December 1622 - on the 13th, Margaret Gordon promised to communicate at Pasche, but the Presbytery intimated that "if she communicat nocht this Tuesday she would be excommunicat the next Sabbath". This sentence of the Presbytery surely involved the compulsory attendance of a convinced Roman at a private celebration of the Communion, according to the current Reformed Practice, appointed for her "Benefit", against her will in order that she might be compelled to submit to church discipline. Apparently, for reasons which are not recorded, the sentence of the Presbytery was set aside, presumably by the Bishop. There was no Tuesday celebration.

On Sunday the 15th the Bishop "made intimation from the pulpit that sic as nocht communicat as yet, prepare themselves again the next Sabath under pain of the contents of the Act made at the general Assembly"; and on the 20th the Session decreed "James and Margaret Gordon to be excommunicat gif they communicat not the next Sabbath" i.e. 22nd December. Here, and throughout a great part of the country, absence from Communion had in itself become a major sin, compulsory

Note (36) SRO CH2. 145/3 & 4.

attendance at Communion had become the penultimate instrument in the disciplinary armoury of the Church. Even in the 17th Century, it must surely have been difficult to discover in such a celebration "singular medicine for sick souls", to sense a Divine Mystery, or to experience a mystical union between Christ and His Church.

James can never have foreseen this sort of situation as a main consequence of Perth and its Five Articles, yet that is what happened in some quarters.

#### (d) Private Communion

The second Article which secured to the good but <sup>i</sup>inform Christian whose infirmity prevented him from going to Church, and who believed his sickness to be terminal, the privilege of a celebration of the Sacrament in his own home in the company of "three or four of good religion and conversation free of all lawful impediments"; caused considerable concern to the traditionalists, who saw it as a dangerous innovation and a denial of essential elements in their Sacramental Doctrine. Comparing the space given to it in the controversial literature with that occupied in the records of the Courts of the Church, at first sight one cannot help wondering whether the non-conformists did not over-rate its importance, and over-estimate the dangers involved in making use of its provision. But, according to the Article, to celebrate or not to celebrate in the home was a matter between the minister and <sup>the</sup> good Christian, and there was no obligation on the minister to consult either Session, Presbytery or Synod; that being so it is little wonder that references in the records of the Church Courts to private communions are practically non-existent, and it would be extremely rash to assume that such references as there are, are any guide to how widespread, or how limited, the practice was. It may well be that in some areas, or even in particular parishes, ministers made considerable use of the



power given to them, and that the pamphleteer had information which is not now available to us.

In the absence of records, we can only speculate, and speculation proves nothing. It is however interesting to note that when Master Thomas Morrisone appeared before the Kirk Session of St. Nicholas, Aberdeen, charged with not communicating at the holie table of the Lord, and assured them that it was not contumacy which kept him away but "his great age and infirmity of body" - no one suggested that the problem might be solved by giving him the benefit of the Second Article, though Aberdeen is one of the few places where we have positive evidence of private celebrations. We have no means of knowing how many private celebrations may have taken place, or what individuals were judged worthy of the privilege. All we know is that the Session Clerk, recording the amount of the collections at the Communion Season in December 1630, added a note to the effect that Dr. Forbes handed over a sum of money collected by him at Private Communions - more than one, and that in January of the following year there is another entry covering the collection at a Private Communion - so all that we can say positively is that around Christmas 1630 the Sacrament was celebrated in a few - perhaps half-a-dozen-private houses in Aberdeen.

Perth gives us the only other firm evidence of Private Communion being sought and granted, and that surely in what must be regarded as a curious incident. The minutes of the meeting of Presbytery on 18th December 1622 record that Patrick Buttar, "compeared and declared to the Presbytery that John Buttar his eldest son is lying deadly sick in this town, and effectiously desires the Sacrament of the Communion of the Lord's Supper to be ministered to him, being now at the point of death: which desire is thought by the brethren to be godly and reasonable: therefore ordains the minister of this town to minister the same



to him with diligence". What is surely curious is that Patrick Buttar thought it necessary to go to the Presbytery; this would seem to be exactly the sort of case which the Second Article was designed to make provision for and according to it, all that should have been necessary was for Patrick to make the request known to the ministers who then had full authority to respond. We know of course, that the Senior Minister was a reluctant conformist who may have been most unwilling to take the responsibility for introducing a new practice; it is possible that the situation was complicated, perhaps for Patrick Buttar, by the fact that there were two ministers to consider. Whatever the reason, he went to the Presbytery and from its records we can say that at least once the Second Article was used to bring comfort to a sick man in Perth. (37)

These references are all that can be gleaned from the records; a meagre harvest which suggests that members did not rush to seek the privilege of private communion, and that ministers so far from pressing it on the senior members of their flock, used the power which the Second Article bestowed on them with restraint.

### B. BAPTISM

The Book of Discipline in its Second Head declares that the Sacraments are rightly ministered "when by a lawful minister, the people, before the administration of the same, are plainly instructed and put in mind of God's free grace and mercy offered unto the penitent in Christ Jesus; when God's promises are rehearsed, the end and use of the sacraments declared, and that in such a tongue as the people do understand; when further to them, is nothing added, from them nothing diminished, and in their practise nothing changed beside

Note (37) SRO CH2. 299/1.

the institution of the Lord, and practise of his holy Apostles". And in the Ninth Head concerning the policy of the Church, it is laid down that on a Sunday before noon must the Word be preached and the Sacraments ministered, though Baptism may also be ministered in the afternoon "when occasion is offered of great travail before noon", and the compilers go on to say "Baptism may be ministered whensoever the Word is preached, but we think it more expedient, that it be ministered upon the Sunday, or upon the day of prayers, only after the Sermon; partly to remove this gross error by the which many deceived think that children be damned if they die without baptism; and partly to make the people assist the administration of that Sacrament with greater reverence than they do". (38)

These principles with their insistence on the essential unity of Word and Sacraments, and on the congregations<sup>2</sup> part in the Sacrament of Baptism, still guided the practice of the Church, at least in the strongholds of tradition, at the time of the Perth Assembly.

The third of the Five Articles went beyond them in insisting that the appropriate day for baptism was "the next Lord's Day after the child be born", and departed from them in sanctioning baptism in private houses, "when great need shall compel".

These two innovations were seen as encouraging belief in "the gross error that children be damned if they die without baptism" and this would appear to have been the main ground of opposition to this Article which with its insistence on Baptism on Sunday, and presumably at Public Worship, unless for great and reasonable cause shown to the minister, and its requirement that private baptism

Note (38) Knox: Hist.Reform. ii 282, 313 (ed. Croft Dickenson)

should be followed by public declaration of the fact that it had taken place, and of the congregations<sup>2</sup> involvement was not far removed from two of the principles which had guided the Reformers.

Such evidence as we have concerning the practical effect of this article is extremely meagre. Records in the care of the Registrar General are almost non-existent for this period, and in any case do not provide the information regarding time, place and circumstances of the baptism which are vital to our study. Records in the care of the keeper, on the other hand only record problems concerning the baptism of children born out of wedlock, or whose parents were, for some reason~~x~~ or another, under church discipline.

Even in those Parishes which were most ardent for conformity, for obvious reasons such children could not be baptised within eight days of their birth, and equally obviously would not be baptised in private houses, so such entries as we have only show the concern of a Session for the welfare of a child, and for the maintenance of discipline. Pencaitland, which was no stronghold of conformity, provides an interesting light on this aspect of the question.

On 21st September 1634, one James Gibsone "being called for the third time compeared not", and the case was referred to the Presbytery: but James had a bairn to baptise, and as he had not satisfied the Kirk, his brother John became caution that he would submit and come before the Session, and upon that the bairn was baptised. James then submitted himself, but the Session said "too late, the matter has been put in the hands of the Presbytery, you must appear there", which he did. So discipline was maintained and the bairn was received into the flock. (39)

While records of what we might call "normal baptisms" in any Parish are sadly lacking we do find a limited amount of evidence as to baptismal practice in

Note (39) SRO CH2. 296/1.



other ways.

In the records of the Presbytery of Jedburgh<sup>(40)</sup> under the date August 23rd 1620, we read "The brethren of the Presbytery requirit what was the cause of Mr. Wm. Clark, his absence from the Synod, answerit that abyd to baptise my Lord of Roxburgh, his bairne".

The Kirk Session of Elgin<sup>(41)</sup> on 17th December 1622 minuted "It is statit de novo that none sick to baptise their bairnes bot on preaching days immediately before sermon or efter".

The Kirk Session of Lasswade<sup>(42)</sup> in August 1628 "intimate that none should seek baptism or marriage on Thursday", as it is Presbytery day, and the minister should be free to attend. While in the Church of Canongait<sup>(43)</sup> on 1st January 1633, "The Session decrees with ane voice that no one shall have marriage or baptism on Monday or Saturday - except they pay a fine".

With these minules before us, we can only conclude that, in spite of the Third Article of Perth, and in spite of the principles proclaimed by the Reformers themselves there were many in Scotland who sought, and some who secured baptism for their bairns on days other than Sunday, and days other than those appointed for Common Prayer and weekday Sermon; and that this indifference to the terms of the Article persisted throughout the whole period.

Though it is not mentioned in the Article, Reformed Practice required the father to bring two witnesses with him when he presented his child for baptism. Apparently in some quarters a practice grew up of regarding witnessing a baptism as an honour in which one might invite a large circle of friends to share.

On 1st September 1622 the Kirk Session of St. Nicholas Aberdeen<sup>(44)</sup> found

Note (40) SRO CH2. 198/1  
 (41) SRO CH2. 145/4  
 (42) SRO CH2. 471/1  
 (43) SRO CH2. 122/3  
 (44) SRO CH2. 448/4.

it expedient to decree that godparents at any baptism should not exceed five in number; how far they succeeded in enforcing their will the record does not reveal, but it would appear that the custom of honouring individuals in this way persisted in various parts of the country.

When in 1633 the brethren of Perth<sup>(45)</sup> faced a similar problem they were more forthright in their criticism, if more hesitant in their effort to control it. The Minute, dated 3rd April, reads "Having considered the great abuse in the confluence of many people, men and women, at the baptising of children, being called to that effect, and the great excessiveness of drinking and gossipries that follows thereon, especially on the Sabbath day has ordained and by these presents ordains according to Christian decency that there be no more than four, or five, or at most seven Christian witnesses called to that effect, under such censure as the Church shall enjoin".

So little progress had been made toward solving a problem which was national rather than party, and apparently infected both conformists and non-conformists.

Haddington Presbytery and its constituent parishes were almost entirely non-conformist, yet the records of Yester<sup>(46)</sup> bear that on 17th January 1632 "B. a son of the minister called Alexander Witnesses" - and then follow the names of eight gentlemen who "were called to that effect, and attended, and three who it would appear sent apologies for absence. In such circumstances the Clerk to the Presbytery might well anticipate "excessiveness of drinking and gossipries".

The custom, and the fact that the Kirk thought it necessary to curb it suggests that even at that time there were those for whom Baptism was as much a

Note (45) SRO CH2. 299/1  
(46) SRO CH2. 377/1.

social occasion as it was a religious exercise.

Finally we note that when on 5th October 1624 the Synod of Fife decreed that Communicants should not be allowed to communicate in parishes other than their own, except they produce a certificate to the effect that they normally communicate at home; the Clerk noted in the margin, "The like ordinance is also to be observed anent ye administration of baptism".<sup>(47)</sup>

If the statement is not very clear, the intention is. Parents are not to seek baptism from ministers other than their own Parish Minister except for very special reasons, and then only with the goodwill of their own minister, and ministers are not to baptise bairns from other parishes without satisfying themselves that the parish minister is agreeable - and they lay themselves open to deposition if they do.

This is surely a case where the passing of the Act proves the existence of the offence, and we must conclude that at least in the Synod of Fife, where conflict was rife, non-conforming members sought to have their children baptised by non-conforming ministers.

We must conclude that evidence for the strict observance of the Article is non-existent; such evidence of Baptismal practices as survives in Church records points to widespread disregard for the injunction to baptise on a Sunday, or even after Sermon on the day of Common Prayer. Ministers would often appear to have been more accommodating than the Article would approve, and the need to restrict baptisms on Mondays and Saturdays and forbid them on Presbytery days would not have arisen had the Article been accepted even as a general guide.

Note (47) SRO CH2. 154/1.



C. CONFIRMATION

There can be no question that quite apart from party politics, the Kirk was concerned at this time about the need for more effective supervision of its congregations, its ministers and its members. On 2nd May 1621 the brethren of the Presbytery of Haddington "greatly regretted the long neglect of the Visitation of the Kirk within its bounds". (48)

This concern is echoed in <sup>n</sup>many other parts of the country, and the great majority of Presbytery and Session records which survive bear their testimony to the endeavour of Presbyteries to establish systematic and regular visitation of parishes. Equally Presbyteries, and often Kirk Sessions showed an awareness of the need to provide Christian upbringing for their children; parents seeking baptism for their children were required to have at least a minimal knowledge of the elements of the Faith, and ministers when catechising in preparation for the celebration of Communion, were charged to pay particular heed to see that the children had the knowledge judged appropriate to their years.

In the light of these undoubted facts it does seem strange that of all the records we have, none makes mention of the Article which was designed to secure effective supervision of the education and catechising of "young children in their tender years".

There are of course general injunctions from Bishops and from Synods enjoining the careful observance of the Articles of Perth, but none apparently singling out this Article for particular attention. And Presbytery and Session Records alike are free from references to its implementation, and from rebukes for its neglect.

Note (48) SRO CH2. 185/3.

There is ample evidence of the visitation of congregations by Committees of Presbytery. There is evidence that sometimes, though by no means on all occasions, the Bishop of the diocese led the Committee of the Presbytery. In the case of a normal visitation you can be sure that the Committee will enquire into the arrangements for catechising, and as to the diligence of the minister in carrying out the work - they will certainly express themselves as satisfied, or ask for improvement, but all the emphasis in the questions asked, the comments made, and the recommendations sent down is on the idea that the effective catechising of the adults is the essential pre-requisite to, and best guarantee of worthy communicating. There is no record of separate catechising of children, or of catechising parents "concerning the teaching given to their children", and none of an occasion when so many bairns were presented before the Bishop and, after examination, confirmed by him.

We must believe that in the course of twenty years, some Bishops at one time or another, in some parishes, confirmed some children but the only grounds we can advance in support of the claim are (1) the fact that the Five Articles gave them the power - it is surely inconceivable that none ever sought to exercise it, and (2) the evidence of David Calderwood who, in his "~~Re-examination~~ Perth Assembly ~~of the Five Articles~~", complains that, so far as children being confirmed in their eighth year, they might have to wait as much as three years before the Bishop found time to visit their Parish!<sup>(49)</sup> Of the Five Articles this was probably the least controversial. Its first purpose was to lay a duty on the Parish Minister, but the duty was one which every normal parish minister already accepted, and which he would continue to endeavour to discharge, with or without

Note (49) Calderwood: ~~Re-examination~~. Perth Assembly. 95.

"they will scarceonce in three year goe to them, and so great numbers depart this life without confirmation."

the sanction of the Article.

Its second purpose was to lay the twin duties of supervision of the minister, and confirmation of the child on the Bishop. The first of these was recognised and accepted, though as belonging not to the Bishop, but to the Presbytery, the second was the only real innovation and it was so restricted as to amount to little more than a minister who came representing the Presbytery, praying for certain of the children of the flock.

It seems likely that from time to time it was observed in some districts probably without giving any great offence; equally likely that in some districts it was virtually ignored; and almost certainly it had little or no influence on the pattern Church life between 1618 and 1638, and none on the Christian Education of children growing up during these years.

#### D. FESTIVAL DAYS

On 16th February 1619, the Archbishop of St. Andrews wrote from Edinburgh to the various Presbyteries within the Arch-diocese, and in particular to Perth, in these terms:-

"Loving Brethren, I have understood that notwithstanding of the intimation made to you of the Acts of our late General Assembly, and a desire that ye should have conformed yourselves in preaching all this last Christmas in your kirks of the matter pertinent to that day, that differs have disobeyed, and not only have foreborne to practise as ye were commended, but also in your sermons and exercises sought occasion to condemn the proceedings of the Assembly which in a Kirk well constituted is intolerable. The evils hereof, and our care to prevent them, have brought us in this last meeting which we have kept in Edinburgh, to appoint that warning should be given by every Bishop to the Exercise within his



diocese for a precise keeping of these acts in time coming, especially for giving Communion upon Easter Day in the norm prescribed of kneeling; and the observation of the Passion Day, Easter itself, Ascension Day and Pentecost by a thankful commemoration of the benefits of the Lord our God vouchsafed us thereon in Christ Jesus.

"According to the whilk ordinance I have thought meet to take warning unto you that none should pretend excuse, or deceive himself by a conceit of forbearing or oversight though he transgress, seeing beside the danger of schism in this dis-conformity we are commanded by His Majesty to suffer that none may brook the ministry that do not obey to the practise of the same".

The Bishop of Dunkeld read this letter to the Presbytery on 10th March - he had anticipated its arrival on 24th February, when from the Moderator's chair, he intimated that "it is His Majesty's will that the Acts of the General Assembly held at Perth in the month of August last bypast be kept in all points, and especially in the ministration of the Communion and keeping of the preaching days mentioned in the said Acts of Assembly."<sup>(50)</sup>

We have taken Perth as our example, but similar letters were being read and corresponding intimations, with minor variations, were being made in all, or almost all the presbyteries in the land.

From this evidence we are entitled to draw three deductions: (1) His Majesty reckoned the Fifth Article second only in importance to the First. (2) The Archbishops and Bishops, in spite of a certain degree of sympathy with their brethren, did their best to secure that His Majesty's will was obeyed. (3) From the beginning there was widespread and determined resistance to this Article.

So the battle was joined in the months of 1619 and the records bear ample evidence that it continued, with the principal parties maintaining their initial positions throughout the period and across the country.

Easter as we have seen, when considering the Communion, gained early and widespread acceptance, more often under the name of Pasche, and particularly in certain districts. Linked with the main, and often the only celebration of the Sacrament, it would seem that there were pressures toward conformity which did *not* apply to the other Festival Days. Be that as it may, the fact is that Easter achieved a degree of acceptance which far outstripped that accorded to any of the other days.

Christmas 1618 obviously was widely ignored, or from the King's point of view misused - though we can safely take it that the great majority of "condemnations" of which the Archbishop complained, took place on other days. The Bishop of Dunkeld in his communications with the Presbytery of Perth was careful to refer to the Festival Days as Preaching Days and to avoid using the terms used in the Article - on 1st December 1619 he reminded the Brethren "that they keep the Acts of the General Assembly last holden in Perth in the month of August 1618 anent the keeping of the Preaching Days as they will answer", and on 20th December 1620 he "remembers the brethren that they teach in their Kirkes the 25th of this instant".

This reluctance to name or observe Christmas was widespread. When the Presbytery of Peebles met on 10th December 1619 "The Moderator produced ane letter from My Lord of Glasgow together with the Acts of the General Assembly holden at Perth 25th August 1618 ordaining all and everyone of them to keep these Acts and especiallie to think upon the 25th day of December of Christ's Incarnation."

This apparently was a proposition which required careful consideration, for the brethren continued consideration of the matter to a meeting appointed to be held in Peebles on the 17th. The Minute of this meeting reads "The quhilk day, the Moderator with the rest of the brethren having convenit in the Chapell of Peebles to consider the request to observe the 25th of December. After advysement they thought it not meet that one provincial Presbytery should oppose the Act of a General Assembly and, for the avoiding of that abuse, they promised obedience".<sup>(51)</sup>

This is of course sound Presbyterian doctrine. The General Assembly is the voice of the Church and when she speaks it becomes Presbyteries and Kirk Sessions to obey. But the delay in reaching a decision, taken in conjunction with the consideration which preceded it, and the terms in which it was recorded, surely bespeak considerable hesitation in accepting the innovation.

Positive evidence of the holding of Services on 25th December is hard to come by, and evidence as to how the Services were attended is almost non-existent. On 22nd December 1620 the Kirk Session of Elgin resolved to advertiis the people thatthe preaching on Monday next the xxv December sall begin at nyne houris". A year later they did not trouble to warn the congregation, but the Clerk entered in the minutes - "December 25th Collected 27s."<sup>(52)</sup> At Inveravon on 22nd December 1633 "The minister made intimation to the people to conveyn on Wednesday next - being Yule Day for the celebration of the Nativitie of Christ".<sup>(53)</sup>

Records of Dron, bear under a date in December 1636 - "Collectit the 25th Day" what seems to be 6s 3d.<sup>(54)</sup>

No one would claim that this fragmentary evidence is complete; it is not,

Note (51) SRO CH2. 295/1  
 (52) SRO CH2. 145/3  
 (53) SRO CH2. 191/1  
 (54) SRO CH2. 93/1



partly because the records are not complete and partly because Clerks did not always record what we would have hoped for. But it is significant in its total lack of reference to Christmas and its evidence as to how unimportant 25th December was reckoned as compared with Easter.

Good Friday is in a very curious position. You would have thought that the celebration of the day could have been combined very well with the preparation for the Communion on Pasche - but seldom or never does that seem to have been so. The Sunday before was often used, and in Elgin, Saturday afternoon was appointed more than once. We are virtually restricted to an entry in the Records of the Parish of Ellon, where the Clerk, recording the Collections, enters against 3rd April 1629 - "said day being Good Friday".<sup>(55)</sup>

On May 4th 1637 the Presbytery of Dalkeith had before them a letter from the Bishop of Edinburgh wherein "he desyrit them to keep the Synod the last Wednesday of May. As likewise that they would be careful to keep the festivities of Ascension and Pentecost".<sup>(56)</sup> This is the only reference to Ascension and/or Pentecost noted. It is the only reference to any of the Festival Days, other than by a calendar date in the records of the Presbytery of Dalkeith, and it is almost the only reference to any of them over a wide area of the country. Only Pasche is widely used and that almost entirely in the North, the Nor' East and the Synod of Fife.

The main effect of this Article was to expose the fallacy on which the whole series of articles proceeded, and this may well have been one of the considerations which inclined Presbyteries and Kirk Sessions to risk the Royal displeasure by playing down the importance of the Days.

Note (55) SRO CH2. 147/1

(56) SRO CH2. 424/2 and Baillie: Letters & Journals i. 442.

Christmas is practically never mentioned, Yule appears from time to time, and most often in connections such as this - from the records of Elgin, under date 14th December 1619, "Dancing, guising etc., at Yool prohibited".<sup>(57)</sup>

And from the same source comes the curious case of Helen Lesly "posit quhow she came bare fuitted on ane supersitious day callit Guid Friday"?

James might think and might persuade the General Assembly to say that "all memory of bypast supersitions is past", but every Kirk Session knew that it was not so, and many were very conscious that as often as Yooll, Guid Friday, Pasche or any other of a series of local Saints' Days held in reverence, came round they would have unmistakable evidence of the hold which bypast superstition still had on the minds of the people.

Perhaps the strongest evidence of the fundamental opposition to this Article, as indeed to all the Articles is to be found in what happened in 1638. In 1618 the Assembly at Perth enacted the Article and immediately sparked off a controversy which continued for the next twenty years. At Glasgow the Assembly, after rehearsing the attitude of the Church toward the Festivals from the Reformation onwards, and making similar examination of the other Articles, resolved that they ought to be removed out of the Kirk and prohibited all disputing for them, or observing of them - and practically overnight they disappeared almost entirely both from the vocabulary and from the practice of the Church. Apparently many more of the people were glad to be rid of them than had ever wanted to receive them. In fact the sense of liberation expressed itself even before the Glasgow Assembly. In the renewing of the Confession of Faith in February 1638 "the practise of Novations introduced in the Worship of God was suspended till they

Note (57 SRC CH2. 145/2.

should be determined in a Free Generall Assembly". (58)

James Scott, who transcribed extracts from the Minutes of the Kirk Session of Perth, and gathered them under the title: Perth Hospital Register, makes frequent reference to a Manuscript chronicle to which he had access, and quotes it as saying that the Confession of Faith and the Band of the Covenant, was subscribed in Perth on 11th, 12th and 13th March 1638 and the Chronicle continues:- "It was publicly read on Pasche Day being the 25th Day of March 1638 by Mr. Robert Lawrie, Reader, Mr. John Robertson preached, being the Fyast, and the haill Kirk and congregation being taken sworn thereto by upholding of their hands. Item. On Sunday thereafter being the 1st of April 1638 the Communion was given by the minister in the old manner by the minister and the elders; the Ministry at the little Table and the elders at the two Boards, there being people at both sides thereof; every one took the Bread firth of the Plate with his own hand, and so the Cup". Surely in the minds of those who arranged this sequence and this celebration, they combined to form a dramatic and symbolic dethronement of the Order which had been imposed upon them, and someone in Perth had a fine sense of timing - Pasche was chosen as the day of public reading of the Covenant which disallowed its celebration and became the Fast Day. Sunday 1st April became the Sacrament Sunday, the forms of twenty years ago were revived and, and this is important, the people responded. (59)

#### E. CONCLUSION

For the area North of Inverness, for the North West and for the Isles, no record of evidence covering the period has come down to us. The Synod of Edinburgh, Fife and the Lothians are reasonably well documented; from the Dioceses

Note (58) Watt: Recalling the Scottish Covenants. 103.

(59) Scott: Perth Hospital Register (Mss)



of Aberdeen and Moray sufficient Presbytery and Parish Records have survived to enable us to form a broad, but reasonably accurate picture. For the rest of the country - the West, the South West and the Borders, the surviving material is all too fragmentary, making it dangerous to generalise from the evidence of a particular Court to the attitudes prevalent over a wider area. In spite, however, of the obvious limitations of the material it is possible to identify quite clearly three ecclesiastical micro-climates within the regions covered by the surviving record evidence.

"That part of the diocese of St. Andrews benorth of Forth", was very much under the influence of the Archbishop, and this was essentially the base from which the movement for Episcopal and Liturgical Reform operated, as it was also the spring from which flowed a constant endeavour to give practical expression to the doctrine of the Royal Supremacy in matters ecclesiastical. Here there was probably the most vigorous and the most unremitting effort to secure universal observance of all the Five Articles; and here there was much of the most spectacular and stubborn resistance.

If you extend this area to include the City of Edinburgh, which was sensitive to Court as well as Episcopal influences, and some of whose prominent citizens had close personal links with Fife, and family ties with some prominent non-conformists, you have a region which could, not inaccurately, be described as the Battlefield of the Five Articles. Here, Conformist and Non-Conformist faced each other and the strength and the calibre of some of the Non-Conformists was such that they could neither be intimidated into conformity nor cajoled into silence. This is an area of continuing debate and openly conflicting practice, and it is perhaps not without significance that it is an area of long established Burghs dominated largely by successful merchants.

When we cross the Mounth we move into quite a different climate. We are still in a land of controversy but in both Aberdeen and Moray the essential conflict is between Roman and Reformed. The Church Courts here as elsewhere "delait persons for prephaning the Sabbath by absence from Kirk in time of Sermon, and absence from Communion". There are the usual secular reasons, drinking, playing, working, but a considerable number in each diocese prove to be Romans who promise a conditional conformity - sometimes conditional on their being at home, or in good health, frequently with a promise to pay a fine in case of their failure to communicate, the fine being cheerfully paid when the times came. The perfect illustration of this conflict is found in the record of the Kirk Session of St. Nicholas, Aberdeen, where we may trace the conflict between the Session and a group of recusants who resisted them for the best part of two years. Not having communicated at Pasche in 1620 they are summoned, asked to sign the Confession of Faith, and to undertake to communicate. They plead that they are not fully resolved and ask for time, granted on condition of hearing sermon and receiving instruction, they neglect both and there follows a series of summons - mostly ignored, sometimes answered with promises of at least partial conformity which in due course are broken - referred to the Bishop and Presbytery, threatened with banishment and excommunication. At the end of June, toward off the process of excommunication "Master Wm. Paip entered voluntarily into an undertaking to pay £10 Scots every time he is absent from Sermon, he being in health of bodie and within the Burgh, and a similar penaltie for non-communicating" and John Carter promised to "hear Sermon regularly and undertook, if he were absent three several Sundays together, he being in health and at home, to go into banishment".

On 8th August the Session met to receive the formal evidence of their readiness to conform. Instead they were presented with a Petition to the

Archbishop of St. Andrews challenging their authority which they were asked to transmit on behalf of the petitioners, who undertook to present themselves at St. Andrews or any other place of the Archbishop's appointing in September. The Session refused to receive or transmit the Petition as being "neither relevant in matter or in form", and impertinent in that it ignored the Bishop of Aberdeen.

The petitioners had anticipated this possibility and had prepared to meet it. They now presented a second petition in which they appealed direct to the King, and offered to meet him in London, or anywhere else of his choosing. This drove the Session back into seeking the advice of the Bishop. What that advice was we do not know, but the Records establish that Messrs. Paip and Partners were still in Aberdeen in the Spring of 1623, and were still refusing to communicate. (60)

There were of course Presbyterians in the area, and the Partnership between Dr. John Forbes and Alexander Lunan which resulted in the publication of Forbes' *Irenicum*, suggests that they were not afraid to voice their criticisms of Perth and the Five Articles. Equally there were many for whom Episcopacy had a strong attraction and who were prepared to accept, and probably to approve, the innovations in worship.

But of the whole region from Aberdeen to Inverness it can be said with fair accuracy that the spirit of the people, so far as they were not Roman, was Conformist, whether the year was 1618 or 1638 - though it has to be noted that the city and University of Aberdeen combined to resist the Covenant.

In contradistinction to Fife, these districts were among the last strongholds of a lingering feudalism, and it may be that that is part of the key to their different climate. Huntly was a Roman, and the Clan very largely followed the

Note (60) SRO CH2. 448/3.



Chief in religion as in battle.

Patrick Forbes, before he was a Bishop, was a vassal holding of the King, trained and disciplined by his father to respect and uphold authority in Church and State. In the North, any man of position, who was not a Roman was in a similar case, and by and large his people thought as he thought and did as he did.

So when the acknowledged <sup>leaders</sup> ~~teachers~~ decreed Change, whether it was at Perth or at Glasgow, this area for the most part, found little difficulty in adapting itself to the change.

If the climate of the North and North East favoured conformity, that of the area which lies roughly to the South of the Valleys of the Forth and the Kelvin very definitely encouraged resistance. We have what must be regarded as substantial evidence for the Presbyteries of Edinburgh, Linlithgow, Dalkeith and Haddington, and it is clear that outwith the City of Edinburgh the Gentlemen of the Lothians, whose grandfathers had made common cause with John Knox stood together with remarkable solidarity to resist and refuse the Articles of Perth. The evidence for the rest of the region is much more sparse, but what there is in a large measure supports the thesis of widespread and effective resistance to conformity.

In the Presbytery of Lanark two of the brethren being challenged on account of their persistent absence from the Exercise, revealed that they stayed away because the non-conforming brethren would not speak to them because they had accepted Episcopal Ordination. (61)

The Parish of Paisley preferred charges in the Presbytery against John Crichton, their Minister - 34 charges in all, and summed them up by declaring he was "ane

profound arminiane and popish champion".<sup>(62)</sup>

The records of the Kirk Session of Dundonald show the Parish to have been solidly non-conformist. On 25th March 1638 the Covenant was sworn in the Kirk of Dundonald "with the wonderful applause of all the congregation without exception". And when in obedience to an Act of the Presbytery of Ayr it was transcribed into the Parish Record, the Clerk did so "ad perpetuam rei memoriam, that posteritie may have this monument of God's Mercy, this testimonie of our fidelitie in a corrupt tyme, this tye to bind them to the maintenance of the puritie of God's Worship in all tymes".<sup>(63)</sup>

In each of the Presbyteries whose records have survived ministers witnessed to their non-conformity - some before the High Commission, others at various dates by identifying themselves with the then current Protest, e.g. The 1617 Protest ~~on~~ in favour of the liberties of the Kirk.

Presbyteries recognised the authority of their Bishop in the matter of collation to benefices, they could hardly do otherwise. They received, considered and sometimes acted upon his letters, sometimes modifying their action to bring it into conformity with their own policy - e.g. On 17th July the Presbytery of Dalkeith had before it an open-ended request from the Archbishop that they should appoint two Commissioners to consult with others "with power to treat and conclude of some Kirk affaires to be proponed". They appointed their Commissioners but limited their commission, restricting their power to "treat and conclude in matters concerning the maintenance of the Kirk allanerlie". And toward the end of the period some were actively engaging in the discussions and the planning which culminated in the meeting of the Glasgow Assembly.<sup>(64)</sup>

Note (62) SRO CH2. 294/2  
 (63) SRO CH2. 104/1  
 (64) SRO CH2. 424/1.

At home in their parishes a substantial number of Presbyter<sup>S</sup>~~ies~~, in this region it may well have been the majority, carried on their Ministry much as they would have done had Perth Assembly never met; or having met, had refused to approve the Five Articles. This assessment of the region as one of widespread, stubborn and largely successful resistance receives remarkable support in local reactions to the Service Book. On 4th May 1637 the Presbytery of Dalkeith had before them a letter from the Bishop of Edinburgh in which he desired them to keep the Synod the last Wednesday of May. "And that thai would bring with them monies, nine pounds seven shillings from ilk Kirk to buy two of the Service Buicks for the use of the Parish. Whilk the Moderator having read, as also desyring them to get in readiness.....the brethren take it to their consideration".

On the 14th September they returned to their consideration of the Service Book and the Minute reads "Quhilk day the brethren greiving and regretting that the Bishops had concluded and contrived a new service to the Kirk of Scotland and caused print the same calling it The Service Book or Book of Common Prayer, and so had changed at their own hand, by their sole power, without advise of the Kirk, the Worship of God. And that the Bishop of Edinburgh, contrary to his offer at the Synod, where he was content to give to the brethren till the next Synod to read and consider and except against the said Service Book. Yet within fifteen days after the Synod, did urge strictly, practise to ye said Service, as he had practised himself at ye Synod in the High Kirk of Edinburgh. The brethren to obviate this appoint Mr. James Porteous, Elder, Mr. Aird and Mr. Watson to go to Edinburgh to concur with others, complainers also".

And on 28th September it is recorded that the whole brethren subscribed to one supplication given in by ye Clerk in their name to the Counsell against



the Service Book. (65)

In the neighbour Presbytery of Haddington, The Kirk Session of Yester took the matter into their own hands and in their Records between the Minutes of meetings on 5th November and 12th November 1637 - but not as part of either minute-there is engrossed a Petition head: At Bothins Kirk the day of

1637. In the Petition the Minister and Session, for themselves and for the Parish, pray the Lords of Session and Secret Council "to free and liberate them from the buying, using, reading or receiving of the book called the common book of prayer for the Kirk of Scotland. Quhilk lately by open proclamation <sup>is</sup> commandit to be received and used as the only forme of worship for this Kirk and Kingdom". (66)

When you set alongside these records the evidence of support from the region for the First Petition against the Service Book (67) one can only conclude that Non-Conformists were strongly entrenched within the Area, and it is worth remarking that this is the region in which John Livingston exercised his occasional ministry. Refused collation, by the Archbishop to the Parish of Torphichen on account of his non-conformity, he was neither confined, nor silenced, and except for the period when he was in Ireland, was much in demand to assist at Communion. His presence in a Parish was surely at one and the same time a guarantee of a local inclination toward non-conformity and an encouragement in the practise of it.

Within the one Kingdom, on the evidence of the Records, we have a terra ignota of considerable extent, but comparatively sparse population, and three more populous regions sharply distinguished each from the other in their attitude to (1) the Sovereign's Will, (2) to the Five Articles and the ideals which inspired

Note (65) IBIDEM  
 (66) SRC CH2. 377/1 - MSS IS DEFECTIVE: CLERK DID NOT RECORD THE DATE.  
 (67) Wigton. 53

them (3) conformity in the practices enjoined by each of them. James may have left them a Kingdom which was socially, politically and economically more united, peaceful and prosperous than ever it had been before. He certainly left a Church divided as she had never been before in her doctrine, in her conceptions of discipline and in her standards of worship. A Church which only avoided open and disruptive strife because the leaders of her parties shared the conviction of her essential oneness, and disregarding the King's express command, accepted a measure of compromise in her day to day life.

CHAPTER 8.THE CONTRIBUTIONS OF CHARLES I

On Sunday 27th March 1625, King James died and Charles was proclaimed King at 5 o'clock the same evening.

According to Row, when the news of the King's death came to Scotland "the spirits of all men were in a stirre threw hope or feare, joy or grief, as they were affected; some feared inconveniences, some hoped for gaine or preferment".<sup>(1)</sup> There certainly was much ground for speculation as to what changes the new reign might occasion.

Born in Scotland, but brought up in England and in English ways, Charles was very much his father's son, but was very far from knowing his Scottish subjects as his father had known them, and showed none of the feeling for them or for the land of his birth which James professed to the end of his life. Apart from such qualities of character as were born in him, there is little question that four influences combined to make him the man and the King he was to become.

Undoubtedly his first great influence was that of his father. James taught him the theory of Kingship, his own preference for the English rather than the Scottish scene in which to live and to reign; and his predilection for Episcopacy rather than Presbytery; unfortunately he quite failed to teach him the art of Kingcraft - and no one made good the omission.

The second great influence was probably that of Wm. Laud - James was prepared to hear Laud on matters ecclesiastical, but followed his own judgment - Charles unfortunately made him his Director - and his influence was felt in three directions - ritual, ecclesiastical organisation and discipline, and the involvement of the higher clergy in the affairs of State.

Note (1) Row: History 339. hereafter referred to as Row.



A third influence was that of the English Court circle, represented mainly by the Court favourite, Buckingham - the main effect of this influence was to flatter the King's person and strengthen his egotism.

Last in time, his Roman Catholic wife became a major influence inclining him to deal sympathetically with her co-religionists, and autocratically with all critical subjects.

Scotland got the first indication of what might be in store for her, when by Royal Proclamation made at the Mercat Cross of Edinburgh in August the King intimated that he would "execute the laws of the country against Papists and all recusants, that he would have all to conforme the present established order in the Kirk in giving obedience and observing the Five Articles concluded in Perth Assembly and ratified in Parliament, and that those who disobeyed should suffer exemplary punishment".<sup>(2)</sup>

For our present purpose it is not necessary to attempt a detailed account of the reign of Charles; it is essential rather to recognise that the practical consequence of his policies and his activities was to inject four powerful irritants into the body politic.

The Absolutism of his conception of Monarchy; the policy of bestowing place and privilege in the State upon Churchmen; the threat of the widespread revocation of rights and privileges granted since the time of his grandmother; and his attitude towards papists - each caused considerable irritation to large sections of his subjects and together they induced a fever of suspicion and resentment in Scotland.

Hume Brown, discussing the activities of the Privy Council in the years 1630-32, wrote, "If there were no outstanding political or ecclesiastical events

Note (2) R.P.C. 2. i. 91 and 92.

to signalise the period, many indications suggest that a temper was growing in the country which foreshadowed the national revolt that was now close at hand", and he adds, "there are entries (in the Register) which are only intelligible when we remember that such discontent really existed".<sup>(3)</sup>

We must look at some of the ways in which the irritants fed the temper to the point of explosion.

However attached James had been to the doctrine of the Divine Right of Kings, his zeal for it was held in check by a prudence of which Charles knew nothing. In the exercise of it he decreed by proclamation or by letter, without reference to Parliament or Assembly and in the most uncompromising terms, such major innovations as the Act of Revocation, the reconstitution of both College of Justice and Privy Council, the appointment of Spottiswoode, first as President of the Exchequer and then as Lord High Chancellor, the imposition of the Book of Canons and later of the Service Book - to which the Canons had already committed the Church, before the text could have been examined. By the same authority he ignored Petitions and insulted Nobles and Prelates alike when they sought to make representations to him concerning the National interest or the National reaction to his policies; and pleading this power, reinforced by his own presence, he persuaded Parliament in 1633 to confirm all the ecclesiastical Acts of his father's reign, and to combine in one Act the Act of 1606 acknowledging the King's Prerogative, with the Act of 1609 which authorised the King to dictate the apparel of Kirkmen. Such single-minded devotion to his own will, more especially when it was so often in conflict with their own will could only alienate his Scottish subjects and increasingly it did so.

Note (3) *ibid.* iv. vi.

Charles apparently gave considerable thought to the administration of justice in his Scottish Kingdom and, beginning with the reform of the Court of Session worked out a complete scheme of Courts or Commissions from the humble Justice of the Peace Court in the Parish, through Circuit Courts and the New Commissions of the Exchequer and for Grievances, to the Court of Session. What is important for our purpose is - first, that the plan was very much his own plan, and all action to give effect to the plan was taken on his own initiative, and that he refused to be diverted, or even influenced by representations or remonstrances from any quarter whatsoever. In the second place, and this was at least as irritating to some of his subjects, we must note that a major reform of the Court of Session was accomplished by a decree that no law lord might be a Member of the Privy Council, and no Councillor should be eligible for appointment as a senator so long as he retained his membership of the Council.<sup>(4)</sup>

This edict undermined any idea that appointment to the Court of Session was *ad vitam aut culpam*, and compelled some men to consider in which capacity they would prefer to serve, and all men to recognise that they were dependent on the King for the opportunity to serve.

But the King's reforming zeal was not satisfied with dealing with the Court of Session, he appointed, reconstituted and re-appointed the Council on three or four occasions for no apparent reason except to impress on the minds of members that he was the Master holding the gift, and the withdrawal of appointment in his own hand. As Hume Brown, surveying the fourth year of the reign, wrote - "No Parliament met during the period and no General Assembly, and bishops, judges, Privy Councillors and High Officers of State all retained their positions on the terms of unconditional submission to the Royal Authority".<sup>(5)</sup>

Note (4) *ibid.* i. xxxv.

(5) *ibid.* iii. i.



It had not always been thus and lesser men joined the representatives of the Great Families in resenting the servitude.

A very noticeable feature of Charles's reform of the Council, and one which was distasteful alike to noblemen of whatever religious persuasion, and to Presbyterians of whatever class, was the giving of place to Churchmen. It is a far cry from the day when the General Assembly agreed, under safeguards, that Churchmen should sit in Parliament, to the day when the Archbishop of St. Andrews was Chancellor, the Bishop of Ross was soliciting the Treasurership and nine of the fourteen prelates were members of the Privy Council.<sup>(6)</sup>

And that was not the end, for between June 1636 and December 1637 Charles strengthened the Ecclesiastical influence in the Council by appointing to membership three additional bishops, all known supporters of the Canons and Liturgy, and six laymen guaranteed supporters of the existing regime.<sup>(7)</sup>

And in July 1637 he issued an order that the Archbishop of St. Andrews, present and to come should take precedence of the Lord Chancellor and every other subject.<sup>(8)</sup> The policy which found expression in these appointments caused an irritation quite separate from, and much more widespread than that caused to Presbyterians by the King's devotion to Prelacy.

Before considering the other two great irritants it may be well to glance at Charles's ecclesiastical policy and its general effect.

Malcolm Laing, comparing the attitudes of Charles with those of his father wrote, - "the hierarchy was recommended to James by resentment and policy, as an institution hostile to presbytery, congenial to monarchy and to a superstitious mind insusceptible to fervour, as a ceremonious ritual that relieved the langour

Note (6) Laing: History of Scotland. i. 112. hereafter referred to as Laing.

(7) R.P.C.2 vi. 253 et seq.

(8) *ibid.* 2 vi. 471.

of vacant devotion. From the early impressions of youth, the hierarchy was revered by Charles as a divine institution, allied to Monarchy by their common origin".<sup>(9)</sup> But in Church as in State, Charles knew exactly what he expected of his allies, the hierarchy which was to be worthy of the reverence of a King must be as sensitive to the alliance as he was, must be as sure of their common divine origin; and must appreciate the importance of ritual, ceremony and vestments. The hierarchy which had so profoundly impressed him in his youth was essentially that of Laud and those like-minded with him, so this became the approved mould for the Divine institution. Where a measure of uniformity between the Scottish and English Churches had seemed desirable to James, the conformity of the Scottish Church to the "Cantaburian" Pattern seemed essential to Charles. The changes inaugurated in this field by the new reign were highlighted by a series of events. When James visited Scotland in 1617 he instructed that the English service should be said daily in the Chapel Royal at Holyroodhouse and required the attendance of the Officers of State. When in 1633 Charles entered St. Giles for Public Worship the Bishop of Ross interrupted the Reader who was conducting the Service according to the Presbyterian Form, removed him from the place, installed two English Chaplains in their surplices, who with the help of various other chaplains and bishops who were present, conducted the Service according to the Anglican Form. When the time came, the Bishop of Moray entered the pulpit, also wearing a surplice, and preached the Sermon.<sup>(10)</sup> One wonders whether the mind of any of St. Giles that day recalled the late King's funeral or remembered that Spottiswoode, having travelled to London for the occasion refused to take part rather than don the English vestments.<sup>(11)</sup>

Note (9) Laing. 88.

(10) Row. 363.

(11) R.P.C. 2. i. xii.

When James claimed the right to dictate the apparel of Kirkmen, he ordained that they should wear, "black, grave and comely apparel".<sup>(12)</sup> When the power passed to Charles he was not slow to order, by Royal Proclamation the wearing of rochet and Surplice. James dreamed of introducing a Service Book, but the opposition to the Five Articles warned him off pressing this plan; Charles would not rest until he had imposed both the canons and Service Book with, from his own point of view, disastrous consequences. Discussion of the Service Book and the problems associated with it, provides a subject by itself which would carry us far beyond our field, but the subject is of concern for two reasons. Had the Book been accepted it would have perpetuated the practices recommended in the Five Articles and they would have passed into the accepted practice of the Reformed Church in Scotland. It was rejected and it is important for our purpose that, at least in part, it was rejected for the very reasons which for twenty years had kept men protesting against the Articles.

Professor Donaldson, when he comes to review the features in the Book which inevitably proved to be objectionable in Scotland, dismisses most of Row and all of Baillie as "mere hysterical rants", and finds it "a grave difficulty that there is no reasoned and sober statement of the criticisms which the Liturgy encountered."<sup>(13)</sup> This seems less than fair. The times did not lend themselves to calm, dispassionate, or sober reasoning; and he accepts what he calls Row's "general complaint" that if there was to be change "yit must it come in by a lawfull manner, viz. by a lawfull and free General Assemblie".<sup>(14)</sup> The fact is that, while far from being the only objection, the manner of the introduction of the Book was a constant and fundamental objection, and a wholly legitimate one; and in the end of the day it was the

Note (12) R.P.C. 1. viii. 305 footnote.

(13) Donaldson: Making of the Prayer Book. 71.

(14) Row. 405.



refusal by Charles of the right to hold a free General Assembly which blew up the whole affair. Moreover the Privy Council was left in no doubt as to at least the broad lines of criticism.

During the year 1637 in addition to the Petition by noblemen, barons, ministers and commons (i.e. The Tables) against the Service Book, the Privy Council received Petitions from no less than six Burghs, thirty five Parishes and five Presbyteries - all protested against the Service Book and some included in their protest the Canons.

Each Petition is different from the others, some shorter, some longer, but the essential burden of them all is (a) that the Book "wants all approbation of General Assemblies and ratification by any act of Parliament", (b) that it contains "a new form of worship far different and derogating from the forme of religious worship and doctrine which we have been taught and have followed since the happy reformation", (c) that it tends towards poperie: and (d) from Galston, that the imposition of the book will make for dispeace in the Church, tension between the pastors and people, and consciences troubled by the breaking of oaths. (15)

Concerning Dr. <sup>Donaldson's</sup> ~~Donald's~~ desire for "a reasoned and sober statement of the criticism", it is interesting to note that the Presbytery of Kirkcudbright complained that the Service Book was "contrairie to the trew religion established in this realm by dyvers acts of Parliament, but also the Service Book of England is so abused especially in the matter of Communion as to become in main and substantial points the Romish Mass - as we offer to instruct in time and place convenient"; (16) unfortunately there is no record of the Council taking up the offer! Much more important however is the Petition of the Presbytery of Haddington. Having protested against the Book and the manner of its introduction they go on to

Note (15) R.P.C. vi. 704.

(16) *ibid.* 709.

say that we do not speak of particulars, it is because the remonstrance thereof is onlie competent to be disputit in a National Assembly".<sup>(17)</sup> All contemporary writers in Scotland were committed to one side or the other, they were bound to be, in some degree at least, propagandists; only in an Assembly could the questions be discussed and a reasoned and sober judgement arrived at, - and anyway only the Assembly had the right to speak for the Church. In due course the Assembly considered the Book and found - "that it hath been devised and brought in by the pretended prelates without direction from the Kirk,..." and the Book itself beside the popish frame and forms in Divine Worship, to contain many popish errors and ceremonies, and the seeds of manifold and grosse superstition and idolatrie".<sup>(81)</sup> There is obviously a marked similarity between these judgements and the objections offered by Burghs, Parishes and Presbyteries a year earlier; and all echo in every point a criticism that rang out at the first introduction of the Five Articles.

When Laud counselled James to deal firmly with his non-conforming Scottish subjects, the King told him in no uncertain terms that he understood the Scots better than Laud could possibly do, and on the matter under discussion followed his own judgement. Charles was probably handicapped by the fact that he did not understand the Scots any better than Laud, but it was unfortunate for himself as well as for Scotland, that he attached the weight that he did to Laud's opinion. Contemporary opinion was that his appointment to Canterbury made great alteration, for the worse, in both England and Scotland "for Bishop Laud ruled the King fully so that in effect he was Primate, Patriarch, or Cardinal (call him what you will) of all Britain and Ireland".<sup>(19)</sup>

The practical consequences of Charles's reverence for the Anglican Hierarchy

Note (17) *ibid.* 708.

(18) Acts of Assembly 9.

(19) Row. 369.

were threefold. It brought a very significant division into the Scottish Hierarchy where the older bishops remained loyal to the Crown but critical of Laud, of his interference in the Scottish Church, and of his influence over the King, while their younger brethren, recognising his influence and no doubt susceptible to it, adopted his ideas and sought to further his plans. The place which, following the English pattern Charles gave in his Council to Kirkmen, and the powers which he conferred on the High Commission were to his noblemen, additional causes why they should be critical of him and hostile towards his prelates. And finally, all who believed in the Scottish Kirk, even many who had been prepared to conform to the Perth Articles, increasingly saw in the Bishops the real enemy. As they looked back over the years, as they realised how Charles had reached the position of power in which he now was, as they watched the progress of the changes he was determined to make - they became more than ever convinced that as Robert Blair had decided - "Prelacy itself was the worst of all corrupt ceremonies". Increasingly men said to one another "the Bishops must go".

We now turn to consider the third great irritant, i.e. The General Revocation. In making such an Act the King was <sup>doubtfully</sup> ~~not~~ within his rights, Scottish practice allowed a monarch within a certain time of succeeding to the throne, or if he succeeded as a minor, which happened all too often, within a certain time of attaining his majority, to revoke any Acts of the immediate past which were to the prejudice of his rights and interests. Charles insisted that the Act was prompted, not by any desire to oppress, but in furtherance of very necessary reform, and in so claiming he had a large measure of reason on his side; and before the end of the day a reasonably fair and equitable way of reconciling conflicting interests was found. But on the way he gave a singular demonstration of the harm which can be done when a determined man insists on doing the right



thing in the wrong way.

Among the news which Gilbert Primrose communicated to his father from London was a warning that a Revocation was coming -- "His Worship", he wrote, "has likewise given young Durie and me charge to draw up the King's Revocation, which we have done". That was written on 17th May. At Theobald's on 14th July, Charles signed the document, original or amended we do not know, and on the 21st July the King's Advocate presented the signed document to the Privy Council with a request for its registration. The immediate reaction of the Members of the Council was alarm at the extent of the threat to the possessions of themselves and of their neighbours. The Act called in question grants as far back as <sup>1540</sup>~~1567~~, it spoke of the remedy "competent in us" by revocation of all and sundry investments "prejudicial to the privilege and freedom of the Crown of Scotland and patrimony of the same". It challenged not only the ownership of Church lands, but the possession of State Offices by heritable right, claims to privileges of regality, and changes in tenure to the detriment of crown revenues.

Not unnaturally the Council felt the need of time to consider the soundness of the Royal claim, and the possible consequences of admitting it; and fears were greatly aggravated when they learned that, though not recorded in the Register, the Revocation had in fact been passed under the Privy Seal on 12th October and so now was law. To their minds the secrecy of its passage could only imply that the Revocation was even more extensive in its range than had been suggested in July, and they were stung into addressing to Charles a bold and vigorous protest against the Revocation "which has been kept so obscure as none as yet has seen the same", and which they said had caused great and widespread fear and resentment among His Majesty's good subjects; and they insisted that the gain to the crown could not compensate for the trouble to the subjects. (20)

Note (20) R.P.C. 2. i. xix. and 81, 82 and 193.

Charles was obdurate, and insisted on the setting up of the machinery to give effect to the Revocation. The land owners resisted as long and as vigorously as they could, but eight years later the Act was confirmed in the Parliament of 1633. But the irritation which it had caused was not allayed and did not disappear when the particular problem had been solved. The act sowed suspicion of the Crown in the minds of the great majority of the land owning sections of the Community - and at the same time sowed enmity towards the prelates and the conforming clergy at the expense of the landowners - or that was how it seemed to them.

Non-conforming Ministers of course could look for nothing from the King - except oppression - so it would be only natural that a bond of sympathy was created between them and the landowners, as both looked critically at King and conforming clergy.

Suspicion of motives, awakened thus early in the reign, was to become a constant reaction toward every move in Church and State.

The fourth great irritant was the attitude of Charles to the Papists. Superficially it was perfectly correct. Two of the earliest Proclamations of his reign were directed against papists and non-conformists - but these were the Proclamations of a man who was married to a papist, and was known to have freely employed papists in his Service in England. And naturally he offended all his non-conforming Presbyterian subjects by bracketing them in the same condemnation with papists - and he made them, and others, wonder about the soundness, and the sincerity of the judgement which could appear to treat these two as twin evils.

Men naturally wondered the more when prelates were careful to proceed against non-conformists in terms of the Proclamations and ignored the existence of papists, though this of course was not always the case. In 1627 a Commission

of Bishops and Ministers, meeting in Edinburgh sent four of their number to Court, among other things "to intreat His Majestie to take order with insolent papists, who regard not the ordour of the Kirk". And two years later "there being many complaints of ministers given in against papists the bishops met with some ministers in Edinburgh to take ordour with such papists whose names were given up to them - but they found themselves in a dilemma - the most outstanding papist in the land was Huntly, he had been to Court, and one consequence of the visit was that the Bishop of St. Andrews had a personal letter from the King telling him not to press Huntly, "till he should get better resolution of his doubts".<sup>(21)</sup>

The importance of this evidence is surely that up and down the land papists in some numbers, were openly living as such and were inclined, in spite of the Proclamations, insolently to ignore the censures of the Church, and further that the case of Huntly made men doubt, or confirmed their doubts, as to the real wishes of the King regarding papists. The outcome of the meeting was that Maxwell was sent up to Court to discover the King's will. The instructions which he brought back can have left them in little doubt.

Instructions for the clergie of Scotland, to Mr. Maxwell their Commissioner.

1. That they use the Marques of Huntly, and the Earles of Angus, Nithsdail and Abercorn, with discretion, indeavouring by fair means to reclame them to the professed religion, and not to process them till His Majestie be first acquaint therewith; and if any of them give offence by their insolence and contempt, his Majestie will not suffer the least wrong in that kynd.
2. That the Archbishop of St. Andrews consider the deduction of the Processe led aganis Patrick Dickson, servant to the Earle of Angus, that it be formallie

Note(21) Register of Royal Letters. i. 368.



deduced.

3. That noblemen's wyves that are popishlie affected be not excommunicated provyding their husbands be answerable, that they shall not receave Jesuits or papists, in their companie, nor give any publict scandall, but admitt conscience, as the church shall appoynt. At Whitehall, November 6, 1629. (22)

This is very different treatment to that offered to the non-conforming Presbyterians. Papists in the higher ranks at least, were to live virtually unmolested, and in fact they must have done so for among the grievances enumerated in The Humble Supplication of Some Lords and others Commissioners of the late Parliament (1634) is this - the fear of some innovation intended in essential points of religion is much increased "by the admission of diverse Papists to the Parliament, and upon the Articles, who, by the laws of this kingdom, cannot be members of any Judicature in it". And regarding the election of the Articles they write that "the bishops did very undutifully and also bred a suspicion of their mystical ends, in choosing noblemen upon the Articles known either to be popishly affected, or for the most part of small knowledge of the estate or laws of the country". (23)

There were too many in Scotland who agreed with Alexander Henderson when he declared that "the Popish Kirk is as antichristian now as it was at the Reformation", to make it safe, or sensible, for Charles to give any ground for saying that he favoured Romans, or Romish Practises, and in their judgement, he might say what he liked, and proclaim what he would - almost daily he loaded evidence against himself.

We have digressed to draw out these threads from the tapestry of the reign

Note (22) Row 348.  
(23) *ibid.* 379.

of Charles I, because, while none of them are new elements in the dispute between the Crown and the Non-conformists, each of them, in the hands of Charles acquires a new prominence, and a growing strength and though the contributions are so interwoven that it is now artificial to attempt to separate them, each helped to turn a party dispute into a national movement. Intertwined the one with the other, and with the other elements in the conflict, they formed the strong cord which drew Scotland on to the crises of the National Covenant and the Glasgow Assembly. It is essential, however, to the thesis that the conflict was one and remained one. The Battle is still for or against the Reformed Faith professed in and by the Scottish Kirk, and the Five Articles still provide the touchstone by which a man, say what he will, declares on which side he stands.

N.B. While insisting that opposition to the Five Articles was a real and a vital element in the opposition to Charles, one would not deny that this was only one element. Men with little interest in forms of worship or systems of Church Government were very conscious of a threat to their security of tenure in lands, or their enjoyment of offices and privileges which they had come to regard as theirs by right; Noblemen who watched helplessly while Bishops, as they saw it, usurped their place in offices of State were ready to make common cause with Presbyterians with whom they might share very little except their opposition to the King. The coming together of these various groups on a purely anti - Rex platform complicated the problem of producing a Covenant which was nationally acceptable, but equally certainly their coming together was the factor which secured the victory of the People over the Crown. What is important, and ought to be interesting, is the part played in this complex movement by men trained and disciplined in opposition to the Five Articles. They gave the revolt its spiritual drive. They very largely directed both its political and its ecclesiastical course. With remarkable skill they held together its diverse elements for long enough not only to destroy but to rebuild. And its climax in the Acts of the Assemblies of 1638 and 1639 expressed their ideals. But influential as they were, none of this would have been accomplished without the co-operation of the others.

CHAPTER 9.OPPOSITION RESURGENT

It is sometimes said that opposition to the Act of Revocation and objection to the imposition of the Service Book, aided perhaps by a growing dislike of Prelates as such, united the Scottish Nation as nothing else had ever been able to unite it, and sparked off the Revolution which was signalled by the signing of the National Covenant and consummated in the Glasgow Assembly. This is an over simplification which ignores three vital facts - (1) that a main root of the widespread objection to the Prelates was the part played by them in the Perth Assembly and in the subsequent efforts to enforce conformity with the Articles, these were neither forgotten nor forgiven; (2) that a constant stream of criticism against the Assembly and the Articles continued to be voiced and to be listened to, and (3) that there is abundant evidence of widespread non-conformity, particularly in the celebration of Communion. The purpose of this chapter is to set out some of the evidence that Perth and its Five Articles are still in the 1630s at the heart of the controversy between crown and people, and between Prelates and people; and that it is still the aim of non-conforming Churchmen to rid the Kirk of the Nocent Ceremonies.

We shall look first at the arguments advanced by the Pamphleteers of these later days; then consider the evidence of continuing and widespread non-conformity, particularly in the matter of kneeling at the reception of the Sacrament, and finally note some of the personalities who exercised influence at this time, and consider the attitudes toward Perth and its Articles with which they identified themselves.



A. PAMPHLETS

In 1628 there appeared anonymously, but undoubtedly from the pen of David Calderwood, a Pamphlet entitled "Pastor and Prelate", and the following year Raban, the Aberdeen Printer, published the first edition of The Irenicum by Dr. John Forbes. We know enough of the story behind the Irenicum to allow us to say with confidence that Forbes must have been engaged for some time in the preparation of the work, probably at least since 1627. So in or about that year we see Calderwood in his lodgings in Edinburgh, and Forbes in his Manse in Aberdeen. They look on the ecclesiastical scene from very different angles but they are agreed that it is a time of crisis and each feels impelled to do what he can to further the cause in which he believes - they take up their pens and start to write. The burden of "The Pastor and Prelate" may be gathered from the letter to the Reader, in which the author writes:- "We stand bound by solemne oath, covenant and subscription, published to the World, to defend the doctrine and discipline of the Kirk, and to oppose the Hierarchie, and all rites and ceremonies added to the worship of God."<sup>(1)</sup> So Calderwood expresses his conviction that the need of the hour is a recall to the true traditions of the Scottish Reformation.

The concern of Dr. Forbes, on the other hand is to answer the current criticisms of the Five Articles, and to remove the doubts of those who are not sure whether they may conform with a good conscience. Evidence surely if that be needed, that conformity was far from universal and that some were susceptible to the pleadings of the non-conformists.

Forbes's work won the approbation of Archbishop Ussher.<sup>(2)</sup> It is difficult

Note (1) Calderwood: Pastor and Prelate. 8.

(2) Forbes: Irenicum trans. and edited by Selwyn. Intro. 32.  
hereafter referred to as Selwyn.

to assess how far it was successful in making converts, or confirming Conformists in Scotland. It certainly drew the fire of the enemy - Calderwood returned to the fight with "A re-examination of the Five Articles" (1636) justified according to the Letter to the Reader, not so much by the weight of the arguments advanced by Forbes who, he says "hath nothing but what he hath borrowed from our Doctor's (i.e. Lyndesays) defence", as by the fact that "many are desirous of information concerning those Five Articles enacted at this Assembly and treatises formerly printed are become scarce".<sup>(3)</sup> And a new protagonist in the person of George Gillespie, entered the field with his Dispute against the English Popish Ceremonies (1637). Though it ranges much more widely this long work is very definitely a reply to Forbes who is frequently quoted and challenged in the text.

The emphasis on the fact that the Scottish Kirk, and Scottish Kirkmen were bound by Covenants, urged in "Pastor and Prelate" and in other ways, led Forbes to publish another controversial work - a 20 page pamphlet entitled "A peacable Warning to the Subjects in Scotland" (1638), in which he argued against the proposition that the Negative or King's Confession of 1580 had any significance in contemporary Scotland, or any binding force over living Scotsmen. First he distinguishes between Divine and Human Authority. Divine Authority can only be conferred by the Word of God, so the Confession could never claim Divine Authority. Human Authority is Public or Private, the latter stemming from the esteem in which the author or individual is held, and binding no further than the lifetime of the individual who is held in esteem and the individuals who hold him in esteem. Public Authority is Civil and Ecclesiastical. The Covenant had Civil Authority by Royal Mandate but even ignoring the fact that the King gave it during his Minority and withdrew it at Hampton Court, "The Mandate dies with the

Note (3) Calderwood: Re-examination of the Five Articles. To the Reader 5.

death of the Mandator" - "Hence it is most manifest, that this negative Confession hath not at this present tyme, any public authoritie at all."<sup>(4)</sup> In his Preface to the Christian Reader he had written, "Let us lay aside wrath and bring our best concurrence to cure this miserable division", so that "this fearful rupture may be solidlie and peacablie remedied".<sup>(5)</sup> And he goes on to argue that to revive the idea of a Covenant at this stage is to stir up "oeconomicall and ritual controversies" when we should be seeking peace and Christian Brotherhood.

With what seems at first sight almost incredible speed Calderwood replied in a Pamphlet entitled "An Answer to M.J. Forbes of Corse, His peacable warning", (1638). There is however an interesting entry in the Diary of Johnston of Wariston, where one may read "On Foorsday (30th August 1637) I wryte out my aunsueor to D. Corse, and give it to Mr. D. Calderwood quho was aunsuering it fully".<sup>(6)</sup>

In the Preface to the "Peaceable Warning" from which we have quoted, Forbes apologises for the "first sudden draught of this Warning in which some hastie speeches were found... "he loves not to be offensive to any", so he retracts the first issue and makes the second the one official text. A copy of the first issue however must have come into the hands of David Calderwood and this must have been the work which he discussed with Johnston in the summer of 1637, and against which his Answer was in the first instance, directed.

These six pamphlets are as it were, the heavy artillery in the Battle of Words at this stage in the conflict, but other shots were fired. The Conformists invoked the aid of English Writers such as Burges, Morton and Paybodie, and on behalf of the Non-conformists there appeared the Re-examination of Two of the

Note (4) Forbes: Peaceable Warning.

(5) *ibid.*

(6) Johnston: Diary 1632-39. (S.E.S.) 378 vide also 348.  
hereafter referred to as Wariston.



Articles, Abridged: Reasons for which the Service Book ought to be refused: Reasons against rendering our sworn Confession: Reasons for a General Assembly: The Beast is wounded, and others: and a pamphlet against the Reception of King James' Version of the Psalms on the ground that it was a private venture, and only a General Assembly could authorise a new translation.

### B. THE SACRAMENT

In 1634 the Privy Council, at the instigation of the King, passed an Act requiring all persons to communicate in their own parish Churches and forbidding their partaking in Parishes other than their own.<sup>(7)</sup> The very introduction of the Act is surely evidence of the existence, in considerable numbers, of non-conformists both among ministers and laymen, and of the fact that where the minister was conformist, lay non-conformists were in the habit of deserting their own Parish Church and taking communion in parishes served by non-conforming ministers.

In April of the following year, according to the Life of Robert Blair<sup>(8)</sup> he being at Athernie, the home of Wm. Rigg, was invited to go to Carnock and assist Mr. John Row at the Communion. Blair accepted and in the event Row being an "honest inform old man" laid the whole burden on him with the result that Blair preached on Saturday, and again on the Sabbath forenoon, and in the afternoon served seventeen tables preaching at each from the 57th Psalm. When all allowance is made for the fact that the number who could sit down at any one table must have been strictly limited (the existing Table Pews in Torphichen allow for about 40) a considerable number must have partaken on that April Sunday afternoon - and we are told "There were at that Communion in Carnock very many

Note (7) R.P.C. 2. v.421.

(8) Blair: Life. 137. hereafter referred to as Blair.

people from Edinburgh and the east nook of Fife, for at this time kneeling was vehemently urged; and honest and godly professors that did not consent unto apostacy, and were not involved in the National Perjury of these times, they did flock unto Communion where not only the minister of the place was anti-prelatic and unconform, but unconform deposed ministers were employed; it being the opinion of the then bishops that though they deposed a minister from his benefice, and discharged him the exercise of his ministry in the parish where he served, yet they did not unminister him, and therefore did not guard his preaching and praying in public, or assisting at the celebration of the holy communion. (9)

So we have the interesting situation in which kneeling is vehemently urged and equally determinedly resisted, in which the Privy Council enacts regulations to control the celebration of the Sacrament, and Blair and others continue to flout the regulations, and the Bishops, to all intents and purposes do nothing about it. There is abundant evidence that non-conformity was not confined to Edinburgh and East Neuk of Fife. Livingston who was prevented <sup>from</sup> ~~for~~ getting a parish in Scotland on account of his non-conformity, came over from Ireland from time to time and took part in Communion Seasons in widely scattered Parishes.

In the summer of this same year of 1635 Sir Wm. Brereton was touring in Scotland and showing himself especially interested in the Government, discipline and worship of the Scottish Church. According to him "When the sacrament of the Lord's Supper is administered, a narrow table is placed in the middle aisle, the whole length of the aisle, about which most of the receivers sit, as in the Dutch and French Churches, but now the ceremonies of the Church of England are introduced and conformity is much pressed, and the gesture of kneeling is also much pressed". He adds, "the Discipline of the Church of England is much

Note (9) *ibid.* 138.

pressed and much opposed by many pastors and many of the people".<sup>(10)</sup>

Brereton appears to have been in Edinburgh from 26th to 30th June, to have gone over that day to Irvine, and on to Ayr where he arrived late on 1st July, and had to put up at an inn where there was no stabling; "enquiring of my hostess touching the minister of the town, she complained much against him, because he doth so violently press the ceremonies, especially she instanced in kneeling at the communion; whereupon, upon Easter day last, so soon as he went to the Communion Table the people all left the Church and departed, and not one of them stayed, only the pastor alone".<sup>(11)</sup>

Ayr had of course an unbroken tradition of opposition to the Perth Articles. Perhaps the most impressive evidence of the strong and widespread opposition at this time to conforming with the Perth Articles in the matter of Communion is just the publication of the *Irenicum* of Dr. John Forbes to which we have already referred. Dr. Selwyn, in the introduction of his translation of the First Book of the *Irenicum* explains that "the book takes the form of a detailed examination and criticism of nine *Aporiae* or Problems dealing with the Five Articles of Perth submitted by the Rev. Alexander Lunan. These problems, which may be regarded as a compendious summary of a large number of conflicting objections to the articles felt and expressed in the Scottish Church at that time, approached the questions at issue along four main lines. It is noteworthy that the First Article, which prescribed kneeling at the Holy Communion was far the most repugnant of the five to national prejudice; and all Lunan's Problems have in fact reference to this one alone".<sup>(12)</sup>

So the very publication of the Book is proof that, as in 1618, so in and about 1627 objections to kneeling at Communion were widely felt and expressed

Note (10) Brereton: *Travels*. 110.

(11) *ibid.* 121.

(12) Selwyn. 47.



in the Scottish Church.

### C. PERSONALITIES

We have already seen how the publication of Forbes' Irenicum brought into the field a new controversialist in the person of George Gillespie, son of the minister of Kirkcaldy. In his early twenties he had already served as chaplain in the house of Viscount Kenmure, and was at this time serving the Earl of Cassilis in a similar capacity. No doubt his duties in these households gave him ample time and opportunity for study, anyway, when the challenge came he was able to write, in a comparatively short time, a substantial book, well larded as was the custom of the period with allusions to, and quotations from a wide range of works old and contemporary. Dr. Selwyn, having reminded us that the Privy Council on 17th October 1637, banned the Book and ordered it to be publicly burnt<sup>(13)</sup>, comments "its arid pages leave one wondering why it should have been considered so important", but adds, "Yet it is not without learning and ability".<sup>(14)</sup>

The fact is that Charles and his advisers realised that it was very probable that it would also prove to be "not without influence" - hence the Order. Our particular concern however is to note that here, as in much of his later writing Gillespie's first concern is to restore the worship of the Church of Scotland to the purity which he believed marked it before the Perth Assembly.

On the other side of the fence of course Forbes was equally a newcomer to the arena, up to now his work had been in the study and the classroom and it is surely a measure of his sense of the urgency of the times that he bent his mind to the current controversies, and came to regard the Irenicum as one of his most

Note (13) R.P.C. 2. vi. 537

(14) Selwyn. 47.

important works, devoting his retirement to the careful revision of the text. In his controversial writing he had two collaborators, first Alex Lunan, Minister at Monymusk and later at Kintore, who made the original collection of popular objections to the Five Articles which prompted Forbes to undertake their systematic defence against the current criticisms; and when he decided to attack the idea of a National Covenant, the Marquis of Huntly, that unrepentant Roman, whose relations with the King were constantly creating problems alike for the prelates and for the presbyterians.

David Matthew in "Scotland under Charles I" draws attention to the coming into being of a new group of Edinburgh legal families who by reason of their professional associations with the great landowners, their general suspicion of the Bishops, and the genuine attachment of most of them to the privileges of the Kirk of Scotland and its General Assembly were destined to exercise considerable influence. Foremost among these was Johnston of Wariston who shares with Alexander Henderson, in popular esteem, the credit for devising the National Covenant.<sup>(15)</sup> We have already quoted the extract from Johnston's Diary in which he tells us that he collaborated with Calderwood in preparing the "Reply to M.J. Forbes of Corse, his peaceable warning". We return to him now to emphasise that it was not concern as to how the Act of Revocation might affect the interests of his land-owning clients which led him in the week commencing 2nd September 1637 to devote himself to a careful study of *Altare Damascenum de Episcopo*.<sup>(16)</sup> In Johnston, the Presbyterian Party gained a new champion of the General Assembly and of the Old Order, and the fact that his contribution at this time was made in the conference room rather than on the Platform or through the printing press

Note (15) Matthews: Scotland under Charles I. 59.

(16) Wariston. 379.

did nothing to limit its value.

Few would question the outstanding influence of Alexander Henderson or the importance of the part he played in the conflict during the late thirties. It must surely have caused Spottiswoode some unpleasant reflections to consider that it was his own action in issuing Letters of Horning against Henderson and two others that forced him to the front, but that was how it was.

Twenty five years before (1612) Archbishop Gladstone had presented his young protégé to the Parish of Leuchars and he had remained there ever since, but though he had never changed his Parish, he had long since radically changed his opinions. In the Assembly of 1618 he was one of the leaders of the opposition.<sup>(17)</sup> In 1619 he was summoned before the High Commission suspected of being at least part author of "Perth Assembly".<sup>(18)</sup> In November of the same year when the Bishops thought it prudent to seek an accommodation with the opponents of the Five Articles he took part in the three day Conference as one of the Non-conformists.<sup>(19)</sup> There is a theory that he was Archippus in "The Course of Conformity", there is the evidence of his recommending Mr. James Wood, afterwards Professor of Divinity at St. Andrews, who was "educat in the Episcopal way and by his learning and great abilities, was in case to say as much in the favours of Episcopacy as the argument was capable of", to study *Altare Damascenum*.<sup>(20)</sup>

There can be no serious doubt that he was a convinced and active opponent of the Five Articles; nor can there be any doubt that he was widely and well-known - sought for as one of the Ministers of Edinburgh (1618) Aberdeen (1623)

Note (17) Calderwood. vii. 332.

(18) Row. 324.

(19) Calderwood. vii. 407.

(20) Alexander Henderson; Sermons. Martin's Edition. Woodrow's Memorial xxxi.



Stirling (1631) Dumbarton (1632) and about the same time urged, apparently more than once, by the Countess of Mar to consider an unnamed Parish of which Lord Mar was patron.<sup>(21)</sup> Yet he remained at Leuchars, five miles from St. Andrews; non-conforming and keeping close contact with his non-conforming brethren, and all the while virtually unmolested until the fatal day in 1637 when the Letters of Horning were issued. Why, after all these years of indulgence did Spottiswoode now take action against Henderson? The reasonable answer would seem to be because his hand was forced by Henderson's recent activities and obvious influence. In spite of his reference to men "who love to live obscurely and in the shadow"<sup>(22)</sup> we should not think of Henderson as an unknown prophet suddenly descending on the Capital from the seclusion of his rural Parish. He made his vital appearance before the Privy Council on 23rd August, and four days later he was busily engaged with Calderwood, Dickson and Johnston drafting advices to Presbyteries and private individuals.<sup>(23)</sup> The conclusion must surely be that already, and for some time past, he had been accepted as one of the leaders of the resistance movement.

By 1637 David Calderwood had behind him fully twenty years of fighting in the cause; according to Livingston, since about 1624, he had been "lurking in Edinburgh".<sup>(24)</sup> One can understand the considerations which would make him happy to lead a life almost as anonymous as his pamphlets. But in any true assessment he must be reckoned among the personalities who contributed notably to a resurgence of opposition to Perth Assembly and its Articles. In the crises of the 1630's his pen is as active and as vigorous as at any time; he is still

Note (21) Orr: Life of Alexander Henderson. 14. hereafter referred to as Orr.

(22) *ibid.* 16.

(23) Wariston. 377.

(24) Select Biographies. 313.

defending the same truths and attacking the same corruptions, as he sees them, as in the first rounds of the fight; he is still ready to take up any challenge and to take on any challenger - even the international reputation of Dr. John Forbes does not make him hesitate; to David Calderwood he is not the great Dr. Forbes, just Master John Forbes, the Laird of Corse.

But his writing was only part of his service to the cause. We know that Henderson, Warriston and David Dickson, and no doubt others discussed the campaign with him, he had a hand with them, in drawing up in August 1637 "directions, publick for Presbyteries and private for trustie persons" and other papers, and no doubt had a large though unacknowledged share in determining the final form of the National Covenant.

In 1635 the distinguished visitor Sr. Wm. Brereton was brought to discuss the state of the Scottish Church with him; and in 1638 on the eve of the Glasgow Assembly, Johnston walked the streets of Glasgow looking for lodgings for himself, for Alexander Henderson and for David Calderwood. (25)

The men, who, in modern phrase get the headlines, are new and younger men, Calderwood's part has of necessity been mostly an anonymous part, his name scarcely appears in the records of Charles' reign except in such places as the Diary of Johnston and the letters of Baillie. But we know that he was on the spot, his influence was still strong, his efforts from start to finish were directed against "the pretended assembly at Perth" and the Five Articles obtruded on the Church there.

So we see that the very vigour with which Charles and his advisers pressed on with the work of change, resulted in the hardening of resistance in certain quarters, encouraged men to new endeavours to defend the old standards, and drew

Note (25) Wariston. 401.

some among them together to work out new strategies and to effective direction to the mounting opposition.



CHAPTER 10."1638 AND THE IMMEDIATELY SUCCEEDING YEARS"

What Row called "Our glorious work of reformation begun anno 1637<sup>(1)</sup> had three outstanding Landmarks:- 1) the revolt against the imposition of the Service Book, 23rd July 1637; 2) the signing of the National Covenant 28th February 1638; and 3) the Glasgow Assembly: and these events determined the major preoccupations of the leading Presbyterians throughout these years. The first task was to organise the resentment against the imposition of the Book into effective resistance to its introduction; the second was to draft the National Covenant and promote the signing of it as the Covenant to bind and hold together the various elements which were opposed to the Royal Policy but not always agreed among themselves; while the third was to force concessions from the King, foremost among which were the Meeting of a Free General Assembly and a Free Parliament.

To trace the progress of these works is beyond the scope of the present thesis, but four considerations make a study of the period important for our purpose.

#### A. The Service Book.

While in the early months much thought and most action was directed against the Service Book, the leaders of the ecclesiastical opposition never lost sight, either ~~now~~<sup>then</sup> or later, of the need to oppose the Five Articles as being the earliest of the corrupt ceremonies, and to condemn the Perth Assembly, Articles and Prelates.

We must now note that an immediate consequence of resentment against the Service Book would appear to have been a large increase in the number of Parishes in which the Sacrament was celebrated according to the older tradition<sup>(2)</sup>.

Note (1) Row 479.

(2) Rothes: Relation 8. hereafter referred to as Rothes.

There is also abundant evidence that the arguments advanced in the earlier years when the battle was being fought over the more confined field of - to conform or not to conform to the Five Articles - are still found valid in their own sphere, and sometimes found applicable in other spheres.

We have already referred to the fact that the Archbishop saw fit to threaten Alex. Henderson, James Bruce and George Hamilton with Letters of Horning for their failure to purchase copies of the Service Book for use in their Parishes; they replied by petitioning the Privy Council to suspend the Charge and the grounds of their appeal have been preserved in Rothes' Relation;<sup>(3)</sup> they are as follows:- "First, because this book is neither warranted by the authority of the General Assembly, which are the representative Kirk of this Kingdom, and hath ever since the Reformation given direction in matters of God's worship, nor by any Act of Parliament, which in things of this kind hath ever been thought necessary by His Majesty and the Estates. Second, because the liberties of the true Church, and the form of worship and religion received at the Reformation, and universally practised since, is warranted by the Acts of General Assemblies and divers Acts of Parliament, especially the Parliament 1567 and the late Parliament 1633. Third, the Kirk of Scotland is a free and independent Kirk and her own pastors should be most able to discern and direct what doth best beseeem our measure of reformation, and what may serve most for the good of the people.

Fourth, it is not unknown to your Lordships what disputings, division, and trouble hath been in this Kirk about some few of the many ceremonies contained

Note (3) *ibid.* 46. "Some of them before had not been adverse to the Articles of Perth. Many who had formerly given way and practised these, began now to distaste them, and suspect the former course was but a preparation for this, as this book is for poperie itself."

in this Book, which being examined, (as we shall be ready, a competent time being assigned by Your Lordships, to show,) will be found to depart far from the form of worship and reformation of this Kirk, and in points most material to dress near to the Kirk of Rome which for her heresies in doctrine, superstition and idolatry in worship, tyranny in government, and wickedness everyway, is as anti-Christian now as when we came out of her.

Fifth, the people have been otherways taught by us, and by our predecessors in our places, ever since the Reformation; so it is likely they will be found unwilling to the change, (when they shall be assayed,) even when their pastors are willing. In respect whereof the said Letters of Horning, whole effects and executions thereof, ought to be suspended simpliciter in times coming."

Sheriff Orr, in his biography of Alexander Henderson gives him the credit for drawing up the statement and summarises the position in these words:- "The petitioners did not lack courage, they tabled for debate the whole questions at issue between King and Church. The Church is self-governing; whatever changes are to be made in her worship or doctrine must be made by herself acting through her General Assembly and sanctioned by Parliament. That is the broad position; changes cannot be brought in simply at the King's pleasure. As to the proposed changes the Church adheres to the Reformation ground; it is the King who is the innovator; the changes are in the direction of Rome and they are rejected by the Reformed Church. The reasoning lifts the question out of the atmosphere of clamour and excitement; it is calm and clear, and bases itself on principle".<sup>(4)</sup>

"The reasoning ..... bases itself on principle" - and, which is perhaps equally important, it emphasises the essential unity of the struggle over the Service Book and the continuing struggle over the Five Articles. In section

Note (4) Orr. 84.



four "it is not unknown to Your Lordship what disparity division and trouble hath been in this Kirk about some few of the many ceremonies contained in this Book", is an obvious reference to the Five Articles, and one which we must assume their Lordships would fully understand. In effect the three are declaring that they are still fighting the battle begun twenty years before, and fighting it on the same ground with the same weapons. The reasons which they advance for resisting the imposition of the Service Book are exactly those which from the beginning, have been used to justify their refusal to conform to the Perth Articles, and the similarity, even in phraseology is striking, e.g. "every way as anti-Christian now as when we came out of her", has a familiar ring about it. The fact is that there is nothing new or original in the case for the defence - what was new was the approach to the Privy Council in its judicial capacity and this proved highly successful: not only were the cases dropped, the Council, when next it met in its administrative capacity, made an extraordinary volte face claiming that it had been greatly misunderstood in the matter of their Act anent buying the Service Book and declaring "that the said Act of Council and letters raised thereupon does only comprehend the buying of the said Service Book by ministers, and that they had nor has no purpose nor intention to extend the same to the practice thereof".<sup>(5)</sup>

Valuable as was this "removing of scruple", even more valuable was the fact that as from this meeting of the 25th August 1637 the Council ceased to be the unquestioning instrument of the Royal will; from now on there was within the Council a group who were prepared at need to resist the Royal will.

During April 1638 Wariston was much occupied with the question of restoring to Presbyteries their right to ordain and admit ministers to charges within their

Note (5) R.P.C. 2. vi. 694.

bounds. In his Diary he records that on Wednesday 11th April he saw Mr. Andrew Blakhal "with the whole brethren of the Presbytery give imposition of hands, and thereby admission to the ministry to Mr. Robert Ker to be conjunct minister with his Father in the Church of Farn; blissed be the name of God for restoring this great libertie to the Church againe, quhair they have been robbed by the Prelates this twenty eight year bagon; and blissed be the Name of God who used the unablst unworthiest of all His servants to be ane instrument in this ristauration."<sup>(6)</sup>

By August of the same year the place of elders in the Courts of the Church had become a matter of controversy, and again we turn to the Diary. Under date 18th August, Wariston writes:- "On Saturday morning, the minister's Table and the other three Tables differing about elders choosing of Commissioners from Presbyteries, Rothes and Lowden with some barons, burrows, went to the Ministers where the Lord moved and enabled me to clear the question from the 2 Book of Discipline and Act of Parliament 1592, quhilk did much good and settled us all in unity."<sup>(7)</sup> No one would wish to minimise the value of the work done on these topics by Wariston, or to underestimate his influence, and it is of course a fact that the Five Articles are not directly concerned with either of them. But it is equally true that from the beginning the attack on the pretended Assembly at Perth ranged far beyond the Five Articles and was deeply concerned about the constitution of the Kirk, its rights, its privileges, its courts and its officers; - vide "Perth Assembly", "The Course of Conformity" and other pamphlets.

Much thought had been given to these subjects, and not a little had been written on them long before 1637. It seems reasonable to suggest that the real

Note (6) Wariston 338.

(7) *ibid.* 374.

spade work in all the fields where reform had become urgently necessary had been done by David Calderwood when in 1621 he published the first and second Books of Discipline, the Act of Parliament of 1592, and extracts from various Acts of Assembly and Parliament; and between 1627 and 1634 when he was arranging the material for his History of the Kirk in Scotland. Concerning the eldership it may be worth adding that Wariston discussed with Calderwood the latter's "Answer to M.J. Forbes, his peaceable Warning" and, when the pamphlet was published later in this year, Calderwood, having paper to spare, wrote - "to fill up this last sheet, I have here subjoined some Acts and constitutions of our Kirk for the sitting of ruling elders in the General Assemblies, provincial Synods and Presbyteries or as they are called in the Book of Policy the Common Elderships".<sup>(8)</sup> There follows five pages setting forth briefly the history of the eldership in the Reformed Kirk in Scotland. It might be rash to say whether the summary is from the pen of Wariston or of Calderwood, we can however be sure that over it they were "in unity".

Among the pamphlets against Service Books which were coming from the printing presses one has a special interest for us in this connection. It was printed anonymously in the year 1638 and is entitled "The Trial of the English Liturgy, or a Copie of a Letter, wherein severall Exceptions and Arguments against the imposition and use of the Service Book in the English Churches, are set forth and discussed. Written by a Reverend Divine, to his Christian Friend, for his private satisfaction in this particular. And now published for the Publicke good." After a brief introduction in which the author asks that what he writes should be judged by the test of Scripture, he proceeds to state a series of reasons which have, at various times, been advanced against accepting the Prayer Book. Each of his reasons is immediately followed by a brief objection to what he has just written

Note (8) Calderwood: Answer to M.M. Forbes, his peaceable Warning.



from the point of view of a supporter of the Book; to these objections he then offers an extended answer. As the greater part of the bulk of the book so the heart of the matter is contained in these answers. Our interest is quickened when we come to his sixth reason for refusing the Prayer Book - "the Book in question is corrupt in many things" - some of which he proceeds to enumerate. This reason raises a whole series of objections from the supporters of The Book, the fifth of which is to the effect that if one refuses to share in the liturgy, he thereby cuts himself off from sharing in the reading of the Scriptures and in the Sacraments, and "may lose many good Sermon in Churches that are much frequented and thronged". The answer is worth quoting in full.

"The answer which the ministers of Scotland in the examination of the Five Articles enacted at Perth, whereby they justify they're not communicating at the Lord's Table where the gesture is changed, and distributing the Elements by the Communicants is wanting, will serve for this purpose also by a parity of reason; they say, we are all bound to maintain the purity and integrity of God's Ordinances and therefore cannot communicate in these cases: no man will be so careless of his leg or his arm, as to suffer them to be cut off, but will venture himself for their preservation, or the preservation of the least joint of his fingers, howbeit they be not such noble parts of the body as the head or the heart, without which the body cannot subsist, far less ought we to tolerate such a horrible stumbling block, as, kneeling in the act of receiving the Sacramental Elements eating and drinking, whosoever countenances such Communion is accessory to that deformation and mutilation; for if none would communicate with the Ringleaders and Introducers, they would be forced to desist, and had desisted long ago, for shame; the kneeler is the thief, the communicant is the receiver. Apply this to the joining in the Liturgy upon the same ground. Again, they add,

some think they may, if they have liberty to sit themselves, and to reach to the nearest, but they should not look to their own personal privileges, but to the liberty of the whole Church and congregation whereof they are members. If some citizens would give way to the enemies, upon condition of their enjoying their own liberty, would they not be counted traitors, and betrayers of the city? But you will say "Shall I separate from a Church?" I answer, when a congregation is divided, that part which doth not communicate, is a part of that church as well as that which doth, and both make up one congregation or church, howbeit they be divided in that particular action: as both parts of the house makes but one house notwithstanding there be a rift in the wall; yet it is hard say you, to want the benefit and the comfort of the Sacrament but what comfort or benefit can you find if you be accessory to the introduction of such alterations, and setting of such stumbling blocks, in the congregation? When we cannot communicate but by Committing a sin our forbearance is no contempt, and the Lord who has promised to be a little Sanctuary to his people, when they were to be scattered among the heathen, Ezekiel 11.16., will supply our wants. Dr. Feathly saith, that neither the only nor the principal thing to be regarded in the Sacrament, is our benefit, but God's glory, and testification of our obedience, to his ordinance. Beza saith we cannot seem to have contemned, who are not permitted to partake of them as they are appointed by the Lord; far be it from us to imagine any causes of necessity by which we may violate the Lord's ordinance. This answer may serve, if the case were so hard that they could not have the occasion of the right and pure administration of the Sacraments elsewhere. But (praise be God) as yet they may have it, not far from the doors; these be the words, apply them to the case in question, and answer your selfe".

This extract from a Book intended essentially for an English public is

surely interesting for its testimony to the continuing objections to conformity to the first of the Five Articles; for its exposition of the Principles underlying these objections, and its demonstrations that all questions of conformity should be tested by these same principles, and for its witness to the fact that, at this time non-conformity was widespread - "praised be God as yet they may have it (i.e. the right and pure administration of the Sacraments) not farre from the doors".

It would seem then that in the Battle against the Service Book, men neither lost sight of, nor interest in the Battle against the Five Articles, rather they saw this as a continuation and extension of the fight in which they were already engaged, calling for continued resistance to the innovations of 1618, and a constant defence of their interpretation of the traditional and only valid attitudes and practices of the Scottish Kirk.

#### B. The Covenant.

In spite of widespread and very practical opposition to the Service Book, of reasoned and responsible protests against it; and of pacific pleading by Bishops and Counsellors, Charles insisted on attempting to enforce its acceptance. Naturally the result was to strengthen the resistance, to extend the field of opposition, and to impress upon the Leaders the absolute necessity of achieving and maintaining national unity. The growing resistance is summarised in the Life of Robert Blair as follows:- "the true rise of that blessed Reformation in Scotland began with two petitions, one from Fife and the other from the west, which met together at the Secret Council's door at Edinburgh, the one not knowing of the other. After that about the 20th of September, a great many petitions from several parts and corners of the kingdom were presented against that Service Book. These being denied, the number of the petitioners and their demands



increased; for they desired not only exemption from that Service Book, (which was a great deal worse than the liturgy in England), but from the five ceremonies of Perth and the High Commission Court. And these things being denied, they desired also freedom from Episcopacy, the book of canons, and of ordination, which being denied, they humbly supplicate for a free Parliament and General Assembly. When all these are still denied, the number of petitioners so increased, that in some sort they were the whole body of the land; so that it was not only *Primores regni*, but in effect, the collective body of the kingdom; not only the better, but the far greatest part of all ranks and degrees that did often protest against the actings and proclamations of the Council."<sup>(9)</sup>

Blair goes on to insist that the petitioners went on for a very long time humbly and peaceably supplicating for a reformation, but matters remained in very great confusion with no sign of accommodation between them and the Council. This situation continued until the 19th February when the reply to the supplications came in the form of a Royal Proclamation, made at Stirling that day, in which Charles took upon himself full responsibility for the framing of the Service Book, offered to overlook the past meetings of noblemen and gentlemen, but prohibited all future meetings, under pain of treason, and required the acceptance and use of the book. The supplicants were present at Stirling and elsewhere, when the Proclamation was made and immediately made their protest; but the terms of the Proclamation convinced them that a more effective form of action must be discovered. A committee was formed - four Barons, four representatives of the Burghs and four ministers to meet with the noblemen - on Thursday 22nd February, and Rothes tells us that "Speaking generally what was to be done, they fell upon the consideration of ane band of union to be made legally".<sup>(10)</sup> So they put in

Note (9) Blair. 150.

(10) Rothes. 69.

hand the work of preparing the National Covenant, the principal responsibility for drafting being laid on Johnston and Alexander Henderson. Six days later the work was completed, approved and signing had begun. To us the importance of this vital step in the History of the Scottish Church is the evidence which it has preserved as to the contemporary attitude to the Five Articles, and to this aspect of the record we must confine ourselves.

Roths, and those who were working with him, believed that the great majority of Scotsmen were firmly opposed to the Articles and regarded the discharge of them as a major step on the road to reform. He tells us that in private conference with the Treasurer, the latter insisted that the supplicants were determined on the destruction of the Bishops, and that was one thing to which the King would never agree. In reply, among other things he said, "If the King would willingly discharge the Acts of Perth, which added nothing to his power, honour, or just contentment, and was the subjects just grievance, he might expect a 6,000,000 lb. subsidy".<sup>(11)</sup> A measure surely of the widespread nature of the opposition which existed, and of the warmth of the welcome which awaited their repeal; or at least of his estimate of these. And we can be sure that Johnston, when he "fell to the drawing out the main points out of the Acts of Parliament to be put in the Bond", kept before him the need to prove the illegality of the Articles so that there might be no doubt that all who signed the Bond definitely repudiated them. It may also be noted from Johnston's account of the sermons which he heard on Sunday 25th February, kept as a Fast and a Day of Humiliation, that Mr. H. Rollok preached "with great power and sense Jerem. 2 v.11., "Hath a nation changed their Gods, which yet are no gods? but my people hath changed their glory for that which doth not profit;" whereon he pressed very well the breaches of the Covenant in doctrine, discipline, Church

Note(11) *ibid.* 56.

Government of ordinars who he feared should be found extraordinare, and the five articles. He confessed publicly before God and his people that he had run himself out of breath in that way in the Church". Further evidence surely of determined opposition to the Articles.<sup>(12)</sup>

Unfortunately the early drafts of the Covenant have~~not~~ survived. Considering that the whole process was completed with in a week, it seems unlikely that alterations were either extensive or drastic, but we do know that revisions had to be made, and that a main reason for making them was to meet objections to the attitude taken up against the Five Articles, for, strong as the opposition was to them, the Nation was by no means unanimous against them.

Both attitudes are reflected for us in Johnston's Diary as the following three extracts show.

"Monday 26th February. At night we saw appearance of great opposition amongst the ministry and barons and from the great grandees of lawyers, wherewith some was dashed, my fearful conjectures was increased; yet my desire and resolution for the Band was by the same opposition augmented."

"Tuesday 27th February. I read confession, acts of Parliament and Band to the nobles, by whom two words were changed. Afternoon, with great fears we went to the ministry; and, after two other alterations and ane discussion of all objections, we got it approven first by the commissioners, (i.e. of presbyteries) then by the whole ministry except one non-liquet because of his oath to the bishop to practise perpetually; for the which my heart did leap within for joy of this glorious day wherewith our souls would be ravished if they were spiritually disposed."

"Upon Wednesday 28th February I was all forenoon with the commissioners of the

Note (12) Wariston 320.



barons, who after long reasoning on Perth Articles did all approve except the Laird of Ethie; so the Burghs. The noblemen having appointed the body of the gentry to meet at two hours in the Greyfriar Kirk to hear both copies of it read and to answer objections, I proposed and resolve to have the principal ready in parchment in all hazards, that, in case of approbation, it might be presently subscribed. I met all the gentlemen in one troop going up the causeway to the Kirk. I resolved to read and did read the parchment itself publicly, quhilk after some few doubts of some was approven; and after ane divine prayer most fit for the time and present purpose made by Mr. A. Henderson, The Covenant was subscribed first by the noblemen and barons all that night till 8 at night."<sup>(13)</sup>

The Covenant, so successfully launched in the Greyfriars, was rapidly carried up and down the land, and with the notable exception of the Nor' East warmly welcomed and willingly signed; and some at least took courage from it to discontinue the practice of the Five Articles.<sup>(14)</sup>

#### C. The Glasgow Assembly.

With the exception already noted, the Service Book was generally and emphatically rejected, but it was not withdrawn; the Covenant was widely and enthusiastically signed - but it was not accepted by the Crown. Accordingly for the next eighteen months a major pre-occupation of the Presbyterian Party was with the question of how to break down the resistance of Charles, or alternatively how to render it ineffective. The positive instrument in this campaign was the persistent demand for a free General Assembly and a free

Note (13) *ibid.* 321 and 322.

(14) *ibid.* 334. - "After twentie yeirs interruption the Communion was celebrat purely in the College and Greyfriars church; blissed be the naime of the aeternal God for that day quhilk with our eyes we durst never lippen to have seien."

Parliament, while the negative was the constant rejection of all concessions offered by the Crown.

Charles, if sincere, might have been considered reasonable, if not generous, in the concessions which were gradually wrung from him. By September 1638 he offered to withdraw the Book of Canons and the Service Book, to dispense with the practice of the Five Articles, to abolish the Court of High Commission, to maintain the religion presently received in Scotland and to substitute for the National Covenant renewal of the Confession of 1580.<sup>(15)</sup> But the opposition doubted his sincerity, saw in the apparent reasonableness of his proposals an effort to bring division in to their ranks, and feared that if they accepted an immediate relief they would thereby jeopardise the ultimate victory.<sup>(16)</sup> In face of the King's advances they fought the more determinedly to preserve the unity of the party; to insist on the absolute condemnation, and the final banishment from the Church's life of Prelacy and the prelatic instruments favoured first by James and then by Charles, foremost among which they reckoned the five Articles of Perth.

In the meantime the Tables had been pressing on with their preparations for the next General Assembly.<sup>(17)</sup> Writing towards the end of June 1638, Wariston tells us "On Foorsday and Frayday we drew up, read, and approved the reasons for a General Assembly".<sup>(18)</sup> Before the end of August they had discussed the propriety of choosing Commissioners, in anticipation of the Royal Proclamation, but agreed to delay "till after the 20th September, and then immediately to be executed before the Commissioner could divide us by his projects and offers,

Note (15) R.P.C. 2. vii. 6A.

(16) Laing 143 - "The Covenanters descried the intended snare."

(17) Row. 488 ff.

(18) Wariston 354.

threats and proclamations".<sup>(19)</sup> In the meantime, however, Wariston with David Dickson, Alexander Henderson, and Calderwood prepared public letters for Presbyteries, and private advices, "for trustie persons", on the subject of choosing Commissioners to attend the Assembly.

The Assembly, as promised, duly met in Glasgow on 21st November 1638 and proceeded to model its business on the Records of earlier Assemblies. A week passed in the appointing of Officials, examinations of Commissions, and arrangements for business, after which the Assembly proposed to sit in judgement on the Prelates. At this point Hamilton, as Commissioner, intervened to dissolve the Assembly "as a convention irregularly chosen by laymen, and incompetent, therefore to the trial of prelates", but as Laing put it "An Assembly ready to convene without authority, was not disposed to separate without some conclusion. Encouraged by mutual exhortations and vindicated from contumacy, by some early precedents of the independence of the ecclesiastical, on the civil establishment, the members refused obedience to this abrupt dissolution".<sup>(20)</sup>

The assembly continued in session till 20th December, dealt with all the business which had been proposed for it, and with remarkable unanimity agreed at every point with the reforms commended by the Covenanting Party.

Of the Acts passed by the Assembly we must take special note of five. On the 4th December the Assembly passed an Act condemning the six late pretended Assemblies, including those of 1617 and 1618, and giving particular reason for annulling each. Of the nine reasons advanced against the Perth Assembly the seventh is "The pretended Bishops did practice some of the articles to be concluded there before the pretended Assembly in Edinburgh, St. Andrews, and other

Note (19) *ibid.* 376  
(20) Laing 147.



cathedrall churches by keeping festival days, kneeling at the Communion. Thus their voices were prejudged by their practice of these articles before condemned by the Kirk, and therefore they should have been secluded from voicing"; while the ninth reads "In all lawful Assemblies, the grounds of proceeding were, and used to be, the Word of God, the Confession of Faith, and acts of former General Assemblies. But in this pretended Assembly, the ground of their proceeding in voicing was the King's commandment only for so the question was stated, "Whether the five articles, in respect of his Majesty's commandment, should pass in act or not", as the records of that pretend Assembly beareth. Where it is declared "that for reverence and respect which they bear unto his Majesty's royal commandments they did agree to the foresaid Articles"<sup>(21)</sup> So the Assembly was condemned, among other things for its handling of the Five Articles.

But the Assembly had also to pass its judgement on the Articles and this it did six days later in a long act based on a careful consideration of whether the particular articles are contrary to the Confession of Faith as it was understood and professed in 1580, 1581, 1590 and 1591.

The general conclusion was that all five articles were contrary to the religion then professed, were confuted by the Word of God and Kirk of Scotland and they are dismissed as traditions brought into the Kirk, without or against the Word of God, and doctrine of this true reformed Kirk; and evidence was brought from early sources to condemn each article, and the matter being put to the vote, "The whole assembly all in one consent, one only excepted, did voice that the Five Articles above specified were abjured by the Kirk in that Confession, and so ought to be removed out of it".<sup>(22)</sup>

Note (21) Acts of Assembly 8.

(22) *ibid.* 21.

On the last day of its meeting the Assembly passed two Acts dealing with the Confession of Faith. The first noted that the National Covenant suspended the practice of Novations "until they be tried by a Free General Assembly", recalled that the Assembly had now found that they are abjured, and are to be removed out of the Kirk and so ordained that in the future there should be prefixed to all signatures the declarator that "The article of this Covenant, which was at the first subscription referred to the determination of the General Assembly being now determined at Glasgow in December 1638, etc."<sup>(23)</sup>

The second was occasioned by the fact that Hamilton, in support of the King's call for a signing of the Confession of 1580, in place of the National Covenant, had issued a declaration that his Majesty's intention, and his own "is no wayes to abjure but to defend Episcopall government". The Assembly has now clearly found and declared that the Five Articles of Perth and the government of the Kirk by Bishops are directly repugnant to the true meaning of the Confession as professed in 1580 and accordingly the Assembly now proceed to ask the King to acknowledge and approve the true interpretation by a royal warrant to the Commissioner, Council and subjects, and in the meantime they, by their ecclesiastical Authority prohibit members of the Kirk subscribing the said Confession, "so far wrested to a contrary meaning", and require them to "subscribe the Confession of Faith renewed in February with the declaration of the Assembly set down in the former act".<sup>(24)</sup>

The last Act of the Assembly was to instruct the Moderator and Clerk, in their name to sign a Humble Supplication to the King's Most Excellent Majesty in which they professed their loyalty and their desire that His Majesty should be

Note (23) *ibid.* 31.  
(24) *ibid.* 32.

truly informed of their desires and proceedings, begged that their acts might receive Princely approbation and ratification in the ensuing Parliament, and their hope that "truth and peace may dwell together in the land, to the increase of His Majesty's glory, and the comfort and quietness of His Majesty's good people".<sup>(25)</sup> And that, in spite of the fact that as early as 29th November, Hamilton, in the name of the King, had persuaded the Council to issue a Proclamation dissolving the Assembly, and the King had issued from Whitehall on 8th December, a Proclamation annulling the Acts which he was now asked to ratify in Parliament.

When the Assembly rose, those who had been responsible for guiding and directing its affairs knew that they could not relax either their diligence or their vigilance; but they had the satisfaction of knowing also that they left neither King nor Council in any doubt as to their determination to be rid of Prelates, The Five Articles, and all influences deriving from Perth Assembly; and most important, they knew that they had behind them a Kirk united as it had never been during the last twenty years.

#### D. 1639 - The Last Phase.

As the year 1638 drew to its close the rift between Crown and Kirk was as wide as ever. They might exchange verbal courtesies, but in outlook and in policy they were diametrically opposed, and neither was prepared to compromise to accommodate the other. Well aware that discussion would never resolve their differences, each had begun to prepare for an appeal to force and the early months of 1639 were months of Civil War though the armies of the Crown and Covenant scarcely made contact. By June, when the King's army was in Berwick and

Note (25) *ibid.* 32.



the Covenanters only a few miles off at Dunselaw, the clash might well have seemed inevitable, but neither side wanted battle, so there was negotiation and the Pacification of Berwick which resulted in the disbanding of the Armies and the removal, for the time being, of the threat of open conflict. While neither party wished to be the first to strike a blow, the King was still quite unprepared to accede to the requests of the Covenanters for the removal of episcopal power and the recognition of the Glasgow Assembly. The Covenanters on the other hand were quite unprepared to give up what they considered the hard won gains of that Assembly. In the end of the day, it was proposed and accepted that they should squabble no more over the King's refusal to recognise the Assembly and the Covenanters' equally firm refusal to disclaim it, on condition that Charles agreed to refer the decision of ecclesiastical matters to another Assembly and civil affairs to a Parliament summoned to confirm its acts.<sup>(26)</sup> Charles agreed and issued a Proclamation indicting a General Assembly to be held in Edinburgh on 12th August, and subsequent days. Originally he proposed attending the Assembly in person probably hoping that his presence might exercise a restraining influence, but his courtiers remonstrated against his entrusting his person among the mutinous Scots, and he was dissuaded from the plan.

On 29th June he wrote to the Council "It is our pleasure that you indict the said Assemblie to beholden the 12th day of August next in the place aforesaid, causing warn to that purpose all archbishops, bishops, Commissioners, of Kirks, and others having place and voice in the Assemblie according to the proclamation made for the indiction of the late pretended General Assemblie at Glasgow, for which these presents shall be your warrant."<sup>(27)</sup>

Note (26) Laing 160.

(27) R.P.C. 2. vii. 123.

The Council acted on the letter, and the Assemblée duly met, with Traquair as Commissioner, in place of Hamilton, but before examining the actions of the Assembly, it is necessary to consider the understanding between the King and his Commissioner.

Traquair advised that the King might reasonably acquiesce for a time in the repeal of episcopacy because as long as the bishops were one of the estates of Parliament anything enacted in their absence was intrinsically null and void and could easily be revoked. On this understanding Charles advised his Commissioner that he might "subscribe the Covenant as it was originally framed, agree to the prohibition of the Liturgy, but not as superstitious; to repeal the articles of Perth, yet not as if abjured in the confessions of Faith; to remove the High Commission, the canons and episcopacy, not however as unlawful but if necessary to prevent a rupture, as inconsistent with the constitutions of the Scottish church". (28) <sup>far</sup> So ~~are~~ he would go to appear to accommodate the Covenanters, but always with a secret reservation for the restoration of the Episcopacy, and with that end in view he took two private and precautionary measures. He instructed bishops to lodge a protest against the Assembly and Parliament, but to leave both in ignorance of it, and suggested that this might best be accomplished by some obscure person who would arouse no suspicion in the mind of any, he should hand it unostentatiously to the Commissioner as he entered the Church where the Assembly was to be held. (29) The Protestation might be produced to advantage at a later date.

Further he required his Commissioner at the conclusion of the Assembly, to protest in the fairest way he could, that whatever passed in his master's absence

Note (28) Laing 163.

(29) *ibid.* 164.

might be challenged afterwards, if prejudicial to his service.<sup>(30)</sup> In this way he would leave the door wide open for the rejection of all the decisions of the Assembly.

The Assembly met, as indicted on the 12th August and remained in Session until the end of the month. On the 17th it passed an "Act containing the Causes and Remedies of the bygone evils of this Kirk", which requires examination. The preamble credits Charles with having declared his intention that all questions about religion and matters ecclesiastical should be determined in General Assemblies, and with having appointed the present Assembly "for settling the present distraction of this Kirk"; it reports the Commissioner as having expressed the King's concern for the state of the Kirk, and having enquired as to the true causes of the many and great evils which have troubled the peace of the Kirk and the Kingdom. The Act then proceeds to set out six causes, giving foremost place to the Action of the Prelates in pressing the Kirk with Service Book etc., and the second to the Articles of Perth, viz., the observation of Festival Days, kneeling at the Communion, confirmation, administration of the Sacraments in private places, which are brought in by a null Assembly, and are contrary to the confession of faith, as it was meant and subscribed anno 1580, and divers times since, and to the order and constitutions of this Kirk". The others are the introduction of Prelacy; giving Civil Place and Power to Kirkmen; keeping of Corrupt Assemblies; and the want of lawful and free General Assemblies, rightly constitute. The whole Assembly "in one heart and voice declared that these were the true and main causes of all our evils and distractions. And therefore ordain, according to the constitutions of the General Assemblies of this Kirk, and upon the grounds respective above specified, that the aforesaid Service Book, books of Canons and

Note (30) *ibid.* 165 footnote.



Ordination, and the High Commission be still rejected; that the Articles of Perth be no more practised; that episcopal government, and the civil places and powers of kirkmen be holden as still unlawful in this Kirk; that the above named pretended Assemblies, at Linlithgow, 1601 and 1608, at Glasgow 1610, at Aberdeen 1616, at St. Andrews 1617, at Perth 1618, be hereafter accounted as null and of none effect. And that for the preservation of religion, and preventing all such evils in time coming, General Assemblies rightly constitute, as the proper and competent judge of all matters ecclesiastical, hereafter be held yearly and oftener, pro re nata, as occasion and necessity shall require".

After the voicing or voting on this Act, which virtually confirmed Seven Acts passed by the Glasgow Assembly, "His Majesty's Commissioner consented verbally to the said Act, and promised to give in to the Clerk in writ the declaration of his consent, and that he should ratifie this act in the ensuing Parliament". (31)

When Traquair gave in his Declaration of consent to the Act anent the cause of our bygone evils ~~it~~ read, "that notwithstanding of His Majesty's own inclination, and many other grave and weighty considerations, yet such is his Majesty's incomparable goodness, that for the settling the present distractions, and giving full satisfaction to the subject, he doth allow, likeas I His Majesty's Commissioner, do consent to the aforesaid act, and have subscribed the premises". (32)

At the same time he added a declaration to the effect that the fact that a particular practice was prohibited within the Kirk and Kingdom of Scotland should never bind nor infer censure against the practice without the Kingdom - it was

Note (31) Acts of Assembly 37.

(32) *ibid.* 41 and 42.

not to be argued that because Prelacy or the Articles had been declared unlawful in Scotland, Prelacy or the corresponding ceremonies were unlawful in England.

The Moderator refused to give warrant for its insertion in the record, but agreed to the Commissioner's request that the fact that he had made the declaration should be recorded, though the judgement of the Assembly might be contrary. (33)

The Assembly, among other things, complained of the Book called "The Large Declaration", protested its loyalty to the Crown and its gratitude to the King; and at the same time sought to insist on the acceptance by Crown, Commissioner, Council and every subject in the realm, of the Confession of Faith and the Covenant. It passed, apparently without challenge, one Act which was perhaps even more important than that anent the Bygone Evils - an "Act anent advising with Synods and Presbyteries before determination of Novations". The Act is worth quoting in full:-

The Generall Assembly, desiring that the intended reformation being recovered, may be established, ordains, That no novation which maye disturbe the peace of the Church and make division be suddenly proponed and enacted; but so as the motion be first communicate to the severall Synods, Presbyteries, and Kirks, that the matter may be approved by all at home, and commissioners may come well prepared, unanimously to conclude a solide deliberation upon these points in the General Assembly. (34)

The mind which drafted this act was surely determined that never again should the Kirk be exposed to the risks which had beset her, and largely overcome her in 1617 and 1618. Though the rank and file in the Kirk rejoiced in the apparent success of the Assembly, the Leaders must have had their reservations

Note (33) *ibid.* 42

(34) *ibid.* 43.

and Charles's insistence on binding clauses must have given them thoughtful pause. It is recorded that, before ever the Assembly began, one of his correspondents informed Secretary Coke that "All they that incline to the Covenanter's side, are very sorry such a commissioner shall be there, who is to make his protestations of His Majesty's prerogative, in case the bishops shall be excluded out of that realm".<sup>(35)</sup>

The Assembly really did little to allay their fears, and the Parliament which followed can only have increased them, not because it was unfriendly, in point of fact the Acts of Assembly were ratified without challenge, but because it brought both Charles's opposition and his determination into the open. He wrote to Traquair, announcing that though he had consented to the abolition of Episcopacy he would not consent to any Act rescinding the existing laws by which Episcopacy had been established. "We cannot consent to the rescinding any Acts of Parliament made in favour of Episcopacy; nor do we conceive that our refusal to abolish these Acts of Parliament is contradictory to what we have consented to, or that we were obliged to. There is less danger", he wrote, "in discovering any future intentions of ours, or, at the best, letting them guess at the same than if we should permit the rescinding those Acts of Parliament which our fathers with so much expense of time and industry established, and which may hereafter be of so great use to us."<sup>(36)</sup>

And later he ordered the Commissioner to prorogue Parliament until March, without consultation. In these and other ways he made it perfectly obvious that the fight was still on and that he was prepared to tackle both Kirk and Parliament. For the Leaders of the Kirk there were only two real grounds for rejoicing - they had the Nation behind them, if they could keep its confidence and preserve its

Note (35) Gardiner: History of England. ix. 49.  
(36) *ibid.* 52.



unity; and though they must still struggle to maintain the system in which they believed, and the authority of the Assembly - the Articles of Perth were no more practiced.

CONQUEROR  
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LONDON

CHAPTER 11.ABERDEEN AND THE NOR'EAST

There can be no question that between the year 1605 and 1638 the ecclesiastical climate of Aberdeen and the Nor'East underwent a change unparalleled in any part of the country. Here as nowhere else, the policies first of James and then of Charles, met with acceptance, and apparently gained widespread if not universal approval. The transformation is the more curious when we recall that the house of Forbes was a main influence throughout almost the whole of the period.

The year 1605 is significant, of course, because it was in July of that year that John Forbes, second son of the Laird of Corse, and minister of Alford took a prominent part in opposing the will of James at the Aberdeen Assembly. His reward was a term of imprisonment in Blackness Castle followed by a life of banishment in Holland.

In 1638 this man's nephew, Dr. John Forbes, now Laird of Corse, was recognised as one of Scotland's outstanding theologians, a dedicated Episcopalian, and accredited controversialist on behalf of the Conforming Party, and a staunch opponent of the Covenant. His immediate reward was to be deprived of his Professorship and of his Manse in Aberdeen, later to go into voluntary exile for a time, and after his return to Corse, to experience the malignity of his opponents. From his own point of view, Spalding summed it all up in these words, - "he was put from his calling, his country and his friends, and all for not subscribing Covenant, to the grudge and grief of the best."<sup>(1)</sup> But, and this is the important point, probably more than even his uncle was, Dr. John Forbes was not the Leader of a Party, but a leader in a Community. Aberdeen and the

Note (1) Spalding: Memorials of the Troubles. ii. 190.  
hereafter referred to as Spalding.

Nor' East were Episcopal and conforming to a degree not matched in any other part of the country.

Between the years 1618 and 1638 our main evidence of the success of the royal policy in Aberdeen and District lies in the lack of evidence of opposition. We find no record of individuals being cited before the Court of High Commission from this area, no accounts of ministers celebrating the Sacraments in the traditional manner, or of parishioners deserting their own churches to flock to the Sacrament in non-conforming parishes. I doubt if more than one Diocesan letter or Address urging conformity has been preserved. Strangely the exception is relatively late. Calderwood, charging Forbes with hypocrisy on account of the letter he wrote to Spottiswoode when offered the Bishopric of Aberdeen, comments, "In his last Diocesan Synod holden this year (1627), howbeit the king doth not urge the ceremonies, hath he threatened the ministers of diocie, say *"We think there will be no more dinne of conformitie; beguile not yourselves, I shall make the best of you conforme"*".<sup>(2)</sup> The year may well be significant. In July 1626 Charles had agreed that ministers inducted before 1618 should not be pressed to conform to the Five Articles, provided they refrained from arguing against them, and the Prelates, and it must have been about this time that Alexander Lunan was collecting and classifying criticisms of conformity which were being canvassed in his own district. The conjunction of events suggests that following the easing of the pressure toward conformity, there may have been a certain slipping back in the Diocese of Aberdeen, and as the reply of John Forbes was the *Irenicum*, so the reply of Patrick may well have been the Diocesan Address. We have definite evidence of opposition, in varying degrees in Fife, the Lothians, the West Country and in lesser degree in the Borders. We know the

Note (2) Calderwood vii. 296.



names of individuals identified with the Non-conformist Movement - but none from Aberdeen.

While a wave of enthusiasm for the National Covenant was sweeping practically the whole country, Aberdeen - town and University refused and with a few defections, continued in their refusal. The principal effects of the defections were first, to stimulate the Doctors and the Magistrates to even greater activity against the Covenant and then to move the Tables to a fresh effort, to win over the City. In July <sup>1638</sup> they sent the Earls of Montrose and Kinghorn and Lord Cooper along with Alexander Henderson, David Dickson and Andrew Cant, Ministers as their Commissioners and a verbal battle was joined before they reached the City, the Doctors crying down the Covenant in their sermons, and the Magistrates enacting that none within the Town should subscribe the Covenant; and was continued both in sermons from both sides of the dispute and in printed Demands anent the Covenant - Answers to the Demands, Replies to the Answers, Answers to the Replies and Duplyes to these answers. The burden of the opposition was that the effect of the Covenant would be to overthrow the doctrine, government and worship of the Church which had been received, and to which they had been committed these twenty years.

When, in the autumn, the Marquis of Huntly brought the King's Covenant, Row tells us the town was divided and many sought a lead from the ministers. Dr. Sibbald signed with the reservation that he "acknowledged Episcopacie and the Articles of Perth, with whatsoever other of that kind, not contrary to the Word of God, allowed by any reformed Kirk elsewhere, upon those conditions and no otherwise do I (before God) subscribe, neither do I desire any to subscribe on any other terms". He further claims that the most part of those who signed did so with the same reservation. (3)

Note (3) Row 501.

The Glasgow Assembly, in which Commissioners from Aberdeen were present, showed their concern for the progress of reformation in the Nor' East by appointing a Committee for the "Visitation of the Old Towne College of Aberdeen, and to take order with the disaffected ministers of that province".<sup>(4)</sup> Mr. John Lundie, who had represented the University, was on his return called before the Rector and Members of the University and bitterly rebuked ~~him~~ for not leaving the Assembly when the King's Commissioner had deserted it. The meeting further agreed that the gates of the University should be closed against the Assembly's Committee, and that, on pain of deprivation, no member of the University should acknowledge the presence of the Committee in the town.<sup>(5)</sup> At the same time the Marquis of Huntly, determined to do his best to hold the town and district obedient to the King, caused the two Proclamations against the Assembly to be read at the Mercat Cross on 22nd and 24th December. Thus Aberdeen - Town and University - dissociated themselves from the reforming work of the Glasgow Assembly.

The most compact and perhaps the most informative collection of evidence for conformity to the Royal Policy, and in particular to the Five Articles in the Nor' East is contained in Spalding's "Memorials of the Troubles". This evidence is woven from four strands all of which lead on to the same conclusion.

We know how first James, then Charles tried to insist on the observance of the great Festivals of the Christian Year in accordance with the Fifth Article. So far as the rest of the country is concerned we have a little evidence for active resistance to the compulsory observance, for example, of Christmas Day, and in the early stages we have some evidence of the High Commission attempting to intimidate men into obedience. But we are entitled to conclude that after

Note (4) *ibid.* 506

(5) *ibid.* 506.

the initial period no serious attention was paid to the Article, and no attempt was made to enforce its observance which was in any way comparable to that made to enforce kneeling in the act of receiving the Sacrament.

In Aberdeen and District the situation must have been very different. Writing of Good Friday in the year 1639, Spalding tells us that Felt Leslie marched that day, "but in none of the Aberdeens was there preaching, as was usit before upon Good Friday, according to the Perth Articles". And he notes these facts as indications of how greatly the times are changed.<sup>(6)</sup> It is the same with the other great Festivals - East<sup>er</sup> Communion is abandoned. Dr. Scroggie, who had fled before the Covenanters, plucks up courage to return to his pulpit and preached on Whitsunday, but there is no word of his celebrating the Sacrament. On 22nd December both Dr. Gould and Dr. Sibbald admonished the people not to keep Yule Day next following, "as contrary to the ordinance of the Church" and we are told that some obeyed for fear, but others made good cheer as usual, and the Covenanters of course did not dare to transgress! The pattern in 1640 was similar, neither Sacrament nor Sermon marked Good Friday and there was no celebration on Easter Day, the Minister of New Aberdeen preferring to celebrate on Sunday 26th April, while the celebration in Old Aberdeen was delayed until early in June. And as Christmas approached the campaign against its celebration was conducted, apparently with even more vigour than in the previous year.

On Sunday 20th December Spalding notes:- "Thundering out of Aberdeen's pulpits against Yule Day, charging merchants and <sup>ra</sup>craftsmen, under the pain of punishment, to keep their booths, buy, sell and labour as on a work day, all and every one, husbandmen and others", and when Yule day came he notes that there was no preaching in either of the Aberdeens, as had been customary; but little work

Note (6) Spalding i. 168.



was done. "The Booth doors stood, for fear, wide open, but there was little merchandise coft, far less work wrocht". But the pupils of the Grammar School enjoyed "20 days play" and the students of the College in Old Aberdeen "8 Days - conform to the old order observed at Yule".<sup>(7)</sup>

Dr. Goold apparently had a reputation for his Christmas Parties and there was speculation as to whether he would, or would not, celebrate the Day on this occasion. He compromised by holding the Party on Christmas Eve. As Spalding puts it, "On Yule even he had good cheer, the Lord Sinclair Col. The Master of Forbes, the Provost and Baillies with some others were well feasted, and all made merry that night, and no Memory on the Morn-Yule Day". But the party did not go unremarked and by Sunday there was a paper in Goold's pulpit charging him with hypocrisy for holding the Party on Christmas Eve instead of on Christmas Day. With no clue to the writer Goold could take no action against him, though Spalding tells us he was stung by the accusation.<sup>(8)</sup> Obviously the banning of Festival Days by the Glasgow Assembly called for drastic changes in the life and customs of the Nor' East; and these changes were far from acceptable to many, and by some, were only conceded in part.

As with the Festivals, so with the manner of celebrating the Sacrament, changed days called for radical changes in practice in the area, and these changes were made, however reluctantly. Spalding describes for us the Sacrament as it was celebrated by Dr. Scroggie in Old Aberdeen on Sunday 1st December 1639. After Sermon, in which he urged the people to obey the ordinances of the Kirk, they received the Sacrament sitting.

"Dr. Forbes took it after the same manner" he writes "and no kneeling was there, as there was wont to be. The Minister gave it to the two or three

Note (7) *ibid.* i. 375

(8) *ibid.* i. 375

nearest him, then ilkane took his own Communion bread out of the basin, and in like manner the Minister gave the cup to the two nearest him, then each gave the cup to his neighbour". He goes on to comment, "Strange to see such alterations one year giving the Communion to the people kneeling, by virtue of an Act of Parliament founded upon Perth Articles, and that same self minister to give the Communion after another manner, sitting, at command of the general assembly, unwarranted by the King".<sup>(9)</sup>

He notes on various other occasions, and with different ministers, that the Communion was given to the people "sitting at the Table, and not kneeling as was wont", he remarked that many regretted the change, and on one occasion records that the attendance was small on account of the Troubles - "their was scarce 4 benches of communicants".<sup>(10)</sup> We can only conclude that, prior to 1638, conformity to Perth Articles had been practically universal throughout the district, and that for a long time.

The third strand of evidence which must be reckoned with is the panic flight of ministers and others before the advancing forces of the Covenant. Under date June 1639 Spalding tells us of the return to Aberdeen Roads of a barque in which certain citizens of Aberdeen and sundry ministers had set sail for England, and having named five ministers of rural parishes and one preacher, he says that they, with some others had fled the Country to the King "for his Covenant". Obviously these men were out of sympathy with the aims and ideals of the Covenanters, but non-conformists in every struggle have stood their ground and witnessed to their own ideals and if these men fled it is surely reasonable to assume that they fled from the present because of their past, or in other words,

Note (9) *ibid.* i. 241 & 2.  
           *ibid.* i. 282.

that the depth of their commitment to the cause of conformity prompted them to seek the King's protection. When you take this evidence along with that furnished by the limitation and restriction set on their signing of the Covenant by Dr. Goold, Mr. Robert Reid, Minister at Banchory, and others, to the effect that "we acknowledge not nor yet condemn the Articles of Perth to be unlawful or heads of popery, but only promise (for the peace of the church and other reasons) to forbear the practice thereof for a time",<sup>(11)</sup> it surely must be agreed that there were within this district, in both burgh and landward, a considerable company of convinced conformists to the policy which James pressed upon the Kirk at Perth Assembly.

Finally Spalding leaves us in no doubt as to where his own sympathies lay - he is obviously among those who are sorry to see the changes which have come in church practice, he is critical of the men to whom he would have looked for leadership, who now counsel obedience to the new ordinances, his sympathies are with those who ignore the ordinances and continue to make good cheer on Yule Day: and it is much more likely that he is typical of his class than that, in these matters, he is the exception. If so it would suggest that in this area in addition to the theologians and the ecclesiastics with their carefully reasoned devotion to Prelacy and the Articles, there were many with little or no interest in the points of controversy which seemed so important to their brethren in the South, but with a real, and probably a deep attachment to the customs and practices to which they were accustomed.

In trying to understand how the presbyterian stronghold of 1606 became the Episcopal citadel before 1638, we must take account of the influence of two men - one lay and the other clerical.

Note (11) *ibid.* i. 93.



Our Layman was George Gordon, Marquis of Huntly - throughout the period beyond all question the most powerful layman in the whole district. Huntly was a Catholic, under constant criticism for his adherence to the old Faith, a constant problem alike to Crown and Kirk - whether extreme Protestant, or conformist: But socially and politically he was the big laird with a veritable army of dependants on whom he could call at need; so powerful that the Crown for all its protestations of anti-Roman Sentiment dare not press him too hard; and the Episcopal church, though it might make verbal complaint against him recognised the wisdom of coming to an accommodation with him, in his territory. Only the staunchest of protestants would maintain an aggressive opposition to him and it would take a very brave or reckless man to do so in territory where his writ ran much more surely and much more swiftly than the King's. Huntly could not hold the Nor' East for Rome but he could and did secure a large measure of freedom for Catholic families to practise their Faith; and he could make it virtually impossible for an aggressive protestant to survive within the district - he was much more powerful to accomplish this particular reform than ever Archbishop Spottiswoode was; to secure the first he was no doubt prepared to make some accommodations with the Episcopal Party, and on account of the latter he may well have earned some gratitude. Add to these the further consideration that where his personal interest was not prejudiced, Huntly was a loyal subject of the King and we must conclude that while claiming liberty for himself and his co-religionists, in the broad field he would support the Bishop and the Conformists and oppose the Non-conformists and this, in an essentially feudal society would be of considerable significance.

Our cleric is Patrick Forbes, Laird of Corse, and for much of the period Bishop of Aberdeen, elder brother of John, formerly Minister of Alford. From

childhood to University the brothers followed the same course and came under the same influences and it must always be an interesting speculation as to why their paths diverged so widely in later years. With all respect to W.C.S. Snow, his life of Patrick Forbes seems to leave some of the most important questions unasked, let alone unanswered; but to attempt to make good the deficiencies would carry us far beyond our proper field. The fact which should never be lost sight of is that Patrick Forbes was an evangelical laird before ever he became a minister. Like his brother, under the influences of his youth, he developed a strong reformed evangelical faith; and as in the case of his brother, this remained with him to the end. But, unlike his brother, he was destined to succeed their father as Laird of Corse, and either his training for that responsibility, or the practical experience of it, clearly developed in him a deep respect for authority enshrined in the Crown and expressed in the Law, this also became one of his abiding qualities. This is amply illustrated by four well-known episodes in his life. G/ 8

When he succeeded his father the evangelical young laird was deeply concerned about the spiritual state of his household, sufficiently concerned to take upon himself the burden of gathering them for worship and instruction, the depth of his concern led him to open the door to his neighbours and the quality of his ministry attracted them in - but the moment it was suggested to him that he was acting illegally<sup>(12)</sup> he ceased holding the services. The plight of the countryside and the death of the minister of Keith continued to burden his soul so, with much appearance of reluctance, he bowed to authority and became a minister.<sup>(13)</sup> In due course he was offered the Bishopric of Aberdeen, again

Note: (12) Snow. Time, Life & Thought of Patrick Forbes. 47.

(13) Shand: Funerals. 223. Letter from John Guthrie, Bishop of Moray.

he expressed great reluctance to accept, but in the end of the day he heard the Call of God in the will of the King.<sup>(14)</sup> Perth Assembly came and went and Patrick Forbes counselled leniency toward those who were reluctant to conform, but in 1621 Parliament passed an Act, and that, for the Bishop of Aberdeen, changed the whole situation. Indeed as soon as the Lords of the Articles had by a majority consented to the Five Articles, he expressed his opinion that "whosoever refuseth to give his Majesty obedience in using them, are contentious and troublers of the peace and unity of the Kirk, and therefore worthy to be punished."<sup>(15)</sup>

Patrick's appointment to the Bishopric of course clothed him with authority in Church, University and State, and made him the instrument of the Crown's authority and for the rest of his life he was careful to maintain the Royal Authority and never shrank from exercising his own. But his evangelical faith gave him a genuine concern for the welfare of the parishes under his supervision, and for the students under his care and so for the most part he exercised his authority with a graciousness which commended him and his policies, while his influence in the University combined with that of his son, secured a flow into the Parishes of conformist ministers. Certainly no single influence can have done more to commend conformity in the Nor' East than that of Patrick Forbes; and after the banishment of his brother there was no comparable influence on the other side.

Whenever one asks why any community held firmly to a particular point of view, he finds evidence of the dominating influence of one or more individuals.

Note (14) Calderwood vii. 291-296 & 301 - "The Laird of Corse, lately consecrated Bishop of Aberdeen." vide also: Original Letters ii. 555.  
(15) *ibid.* 491.



If not the whole explanation of the special situation in the Nor' East, a large part of it lies in the fact that, after the removal of John Forbes of Alford, two of the men of outstanding influence were conformists, while the third was a Roman Catholic who preferred conformity to non-conformity.

CONQUEROR  
IN  
LONDON

CHAPTER 12.INTEREST FURTH OF SCOTLAND

It may be interesting rather than significant that the Pilgrim Fathers carried at least one copy of "Perth Assembly" with them to the New World.<sup>(1)</sup> When all allowances have been made for the fact that Brewster may well have been responsible for printing it at Leyden before the suppression of the Pilgrim Press, we are surely entitled to conclude that the man who, threatened with arrest both in Holland and in England, included the volume in the small library, which he smuggled first out of one country and then out of the other, had more than a printer's interest in the work. We may also state with a reasonable measure of confidence that with a limited stock of books in the community, this book along with the others would be freely borrowed, widely read and generally discussed. We can hardly hope now to assess its influence on the thinking and the experiments of the pioneers, but if we are right in assuming that it did not remain a closed book, locked in a chest, we must allow the possibility that it did affect in some degree the thought and even the action of some.

Naturally we turn first to England. There is no doubt that churchmen on each side of the Border followed closely the activities of their opposite numbers on the other side and were familiar with the ideas which were circulating in each country. It is also a fact that much the same questions were agitating the English and <sup>the</sup> Scottish Church, though the sources from which the agitation sprang were quite independent, and there is no justification for equating Scottish resistance to the ecclesiastical policy of James, with English Puritanism.

Note (1) Harris & Jones: Pilgrim Press 43. quotes from the Inventory of Brewster's Library, prepared at the time of his death - "186. Perth Assembly. O. 01. 06."

At the same time the Five Articles and the resistance to them had a particular interest for English churchmen. Naturally supporters of the Church of England as by law established, and by the Crown approved, hoped for the defeat of the resistance movement; while those who challenged its ceremonies and its customs looked for support from it.

It is surely significant as evidence of the interchange of ideas, that Calderwood takes note of the views of English writers in defence of ceremonies in their church, such as Morton and Paybody, and assumes that his answers to their arguments have equal validity on either side of the Border. Perhaps the most striking evidence that English Reformers followed the controversy with interest, agreed with Calderwood's assumption and welcomed his support is provided as early as 1623. In 1618 Thomas Morton then Dean of Winchester and later Bishop of Chester published "A Defence of the innocence of the Three Ceremonies of the Church of England". We must assume that this work was imported into Scotland and seemed likely to influence readers for in 1622 there appeared "A reply to Dr. Morton's General Defence of three nocent ceremonies". It is generally agreed that the work, which was published anonymously, was from the pen of David Calderwood. And now we come to the point which is important for our present argument. In 1623 this work was followed by another entitled "A reply to Dr. Morton's particular Defence", and this is attributed to one Wm. Ames. On examination this last pamphlet is found to consist of three parts: first, a letter to the author of "The reply to the General Defence" praising that work and asking him to follow it up with a reply to the Particular Defence; this is followed by what is obviously the reply to Morton, but it at least purports to be also a reply to the letter concluding with these words directed to the writer of the letter, "Thus, good Sir, I have at your request set down my animadversions". The final section is an



exhortation from the writer of the original letter to Dr. Morton.

If the author who is praised for his work in "The reply to the General Defence" is David Calderwood we must assume that he is also the author of "The reply to the Particular Defence", but that does not mean that there is any need to doubt the authenticity of the letter and the exhortation or to question that they are from the pen of Wm. Ames. But if this be so, it gives us very definite proof of a genuine interest among Englishmen in the Scottish controversy and the Scottish controversialist, and that this interest lasted is borne out by the anonymous writer of the 1638 pamphlet "the Trial of the English Liturgy" who, writing to Englishmen about an English problem, quotes with approval arguments with which "the ministers of Scotland justify their not communicating at the Lord's Table where the gesture is changed, and distributing the Elements by the Communicants is wanting".<sup>(2)</sup> Further evidence of English interest, if that be needed is provided surely by the activities of travellers such as Sir Wm. Brereton to whom reference has already been made. He is interested to see for himself the Sacramental practices in different parts of the country and to discuss the situation alike with leading controversialists and small town innkeepers; and to make his own comparisons with what he knew in France and the Low Countries as well as in England.

It was equally impossible for Irishmen to ignore the controversy, and the first thing which must be said is that though the Church of Ireland was episcopal in government many of its members and of its clergy were sympathetic toward the opponents of the Articles, Blair, Livingston, and others, persecuted for their non-conformity in Scotland crossed to Ireland, and for a time at least, were

Note (2) "Trial of the English Liturgy". 28. New College Library.  
Shelf Mark B.b.c.15.

allowed to minister to congregations there; and Blair has put it on record that the Bishop of Down knowing "how opposite I was to Episcopacy and their Liturgy" and the problems that created for his ordination in the Church of Ireland asked "Will you not receive ordination from Mr. Cunningham and the adjacent brethren, and let me come in amongst them in no other relation than a Presbyter?" "This", he adds, "I could not refuse, and so the matter was performed".<sup>(3)</sup> That was in 1623, seven years later when John Livingston was called to Killinchie, the Bishop of Down was, in his own words "An corrupt and timorous man, and would require some engagement", so he was sent to the Bishop of Raphoe who not only made an arrangement similar to that at Blair's ordination, but "gave me the book of ordination, and desired that anything I scrupled at I should draw an line over it in the margin, and Mr. William Cunningham should not read it". Livingston adds, "but I found it had been so marked by others before that I needed not mark anything. So the Lord was pleased to carry that business far beyond anything that I had thought or almost ever desired."<sup>(4)</sup>

But this summer of sympathetic toleration was not to last. Laud was planning to crush non-conformity and to assimilate the Church of Ireland to that of England, and in Wentworth, as Lord Lieutenant, he had a powerful supporter. Changes in the High Command did not of course alienate the Irish Congregations from their Scottish Ministers, or kill the interest of individuals in the controversy or their sympathy with its victims: but it did secure the deposition of the Scottish Ministers. That however was not the end of the story - the very fact that Ireland now had its own problem would make both non-conformist and conformist all the more interested in the success or failure of the opposition

Note(3) Blair 59.

(4) Select Biographies 141.

in Scotland; and we know that Archbishop Ussher welcomed the publication of Dr. John Forbes' "Irenicum", and in a letter to the author, congratulated Scotland on having produced a "New Irenaeus".<sup>(5)</sup> So the Kingdom, if sharply divided on policy, was in fact united in interest in the controversy.

Scottish exiles taught in Continental Universities to which Scottish Students still went in some numbers, Scottish Merchants traded regularly in European Countries and Scottish soldiers were serving in France and the Low Countries, so there was a nucleus of Scots abroad to maintain and encourage an interest in the controversy at home. The genuineness and the depth of their interest may perhaps be gauged by the fact that John Forbes, son of John of Alford who was banished in 1606, came home, accompanied by another Dutch pastor, to attend the Glasgow Assembly of 1638, and to seek the privilege while they were in Scotland of signing the National Covenant.<sup>(6)</sup>

The need to discover men who were prepared to undertake the hazardous task of printing controversial literature must have enlarged the circle of interested and sympathetic observers in at least a few areas.

But the Controversialists, on both sides went out to create interest, and if possible to gain support, on a much more widespread scale; and this they did by publishing some of their material in Latin.

Calderwood apparently at once recognised the importance of gaining European sympathy. One of his earliest publications (1618) was a brief account in Latin of the government of the Church of Scotland. This stung John Spottiswoode to one of his few controversial writings, a pamphlet, also in Latin, entitled "Refutatio Libelli de Regimine Ecclesiae Scoticanæ", and this brought the

Note (5) Selwyn 32.

(6) Row 504.



redoubtable Calderwood back with "Vindiciae contra calumnias J. Spotswodi", But these were not his only bids for support. The original Perth Assembly was quickly followed by *Parasynagma Perthense et Juramentum Ecclesiae Scotianae* (1620) and the most comprehensive single attack on the Prelates and their Policies was published in Latin under the title *Altare Damascenum* (1623). That the controversy did awaken interest abroad is evidenced by the fact that Daniel Tilemus, a Silesian by birth and a Professor in Sedan published also in 1620, an Admonition to the Scots Zealots for the Geneva Discipline (in Latin) wherein he defended the state of Bishops and the Five Articles. This called forth from Sir James Semple of Beltrise his *Paraclesis contra Danielis Sileni Paraenasin*, and was also answered by Calderwood.<sup>(7)</sup> This tendency to keep at least one eye on the more distant horizon, continued until the end of the struggle. Dr. Forbes wrote his *Irenicum* in Latin and Row tells us that when the Covenant was printed in 1638 - "for the excellence thereof", it was translated into other unspecified languages, but of these at least the Latin version is still extant.<sup>(8)</sup>

On 14th June 1637 the Archbishop of Canterbury made a speech in the Star Chamber, his theme was flattery of the King and the defence of Innovations which he was busy imposing in the Church of England. It has no reference whatever to the Five Articles, but it bore fruit of considerable interest for our present purpose. Someone thought the speech, and the controversy which occasioned it, sufficiently important to justify the publication of a Dutch translation; someone else, a Dutchman presumably, for he refers to "Your apology and defence of Innovations in divers Church matters, lately published in our language", published a pamphlet which he entitled "Divine and Political Observations upon a Speech

Note (7) Calderwood vii. 450.

(8) Row 446.

pronounced by the Archbishop of Canterbury", in which he comments upon the Speech line by line: while yet a third person prepared and published an English translation of the pamphlet. This last individual in his unsigned letter from the Translator to the Reader writes:- "I have therefore adventured to translate in English the aforesaid Observations published in Dutch, soon after the said Speech was published in that language, both hoping that His Majesty shall see, and approve divers things therein, and confident that if aught be either deficient in them, that is expedient for His Majesty's satisfaction, or disguised, misconstrued, or wrested to a wrong sense ----- the same shall be made good by some that have more understanding than I, and a better faculty than the author of the Dutch now here translated." (9)

This sequence of events surely argues a very real, and a very keen interest abroad, and more particularly in the Netherlands in the controversies which were troubling the churches in Britain: taken along with the "Letter from the Synod of Zeland, to the Commissioners of the General Assembly of the Kirk of Scotland" (1643) it is surely conclusive. The burden of this letter is to express the concern of the Writers for the Churches of England and Ireland in the present attempt to subvert them and bring in popery again; their sense of the great danger that would confront the Kirks of Scotland and the Netherlands, and indeed all the Reformed Kirks in Europe, if the Romanising party prevailed in England; and their appeal to the Kirk of Scotland to stand firm in the Reformed Faith and to support the Churches of England and Ireland - "We intreat your wisdoms forasmuch as ye are joined to these afflicted Kirks in neighbourhood and nearest bonds under the government of one King, who is resolved to live and die in the Reformed

Note (9) "Divine and Political Observations" - New College Library.  
Shelf Mark B.b.o.15.

Religion, as in his public Declarations, plainly he hath professed, that with all careful endeavours ye aid them against the rage and fury of the factious and malignant".

The letter has a further, and in a sense a more particular interest for us because the Dutch see the great danger threatening the Church of England in terms of the pressing and introduction of the very ceremonies which were the subject of the Five Articles of Perth; they congratulate the Kirk of Scotland on the completeness of her escape from "the intolerable tyranny of episcopal government and the rites and dregs of anti-Christ"; and they urge her to "suffer never so far as is in you, that the English Kirks be forced to receive such ceremonies; but rather use all means that they and ye in Kirk-government may be brought to as near agreement as may be". - "united forces are strongest".

We may also take notice that the original author of the Divine and Political Observations was very well informed as to the conflict over the Five Articles. The Archbishop having argued that the innovations approved by the Prelates did not justify the conclusion that they intended bringing in popery; the author observes that it is not "compatible with episcopal wisdom and with the respect they pretend due unto them to do actions whereby any man may be able perfectly to know and discover their intentions, when they either dare not, or think not fit to avow them". He then quotes Spottiswoode in the "Confutatio libelli" as to how Episcopal Jurisdiction was re-introduced into the Scottish Kirk, agrees that there is no good logic for saying that those who advised Constant Moderators intended to bring in Popery, but points out how step by step they did bring into the Church, contrary to their oaths and subscriptions, "a Government and Ceremonies rejected by them at the Reformation, and often abjured since", and he concludes this section with these words:- "the pitiful suffering



of many honest men in Scotland, since the reduction of popish manner of rule and ceremonies, helpeth much to breed that fear, which many honest men and loyal subjects here in England have that these innovators intentions are as much set for Popish Doctrine as the seekers of those Moderatorships, Pensions and voice in Parliament were set for Popish rule and discipline in Scotland".<sup>(11)</sup>

Later, dealing with the Archbishop's assertion that if ministers were punished, it was for preaching schism and sedition, he writes:- "it is ordinary for Prelates to lay a reproach of mutiny and sedition on any man that opposes their unlawful ways; the Scots Prelates, having long laboured to quench in the people's hearts both all zeal to religion and all affection to their Sovereign, by using pretexts of the King's Authority for establishing churchmen of obscene life and unsound doctrine, and for obtruding divers points of popery reproach his Majesty's most loyal subjects, that stand in their way, with the aspersions of mutiny and sedition".<sup>(12)</sup>

Whoever he was he wrote with confidence, because with knowledge, of the Scottish situation and of the Scottish debate: and in the light of such evidences as these we are surely bound to conclude that in the various branches of the Reformed Church there were at least some who followed the controversy with close interest; and some who were deeply concerned as to what its outcome should be.

Note (11) Divine and Political Observations 39.  
(12) *ibid.* 60.

CHAPTER 13.1662 AND AFTER

The victories of 1638 and 1639 did not of course restore any "status quo ante", and equally they did not secure indefinitely any forms of worship or Church Government. They removed, and those who fought for them hoped, removed permanently, from worship - some practices which had become offensive to the majority; from the seats of authority - the contemporary Bishops; and from the field of Church Government - the prelatic system. They established, and again it was hoped, finally, the Authority of the General Assembly and the lower Courts of the Church, and clarified their relation to Crown and Parliament.

And finally they introduced a new day in which the former victims of intolerance were themselves to become the victims of the spirit of intolerance; and those who had resisted uniformity with England were to seek it earnestly on a new basis.

Not the wisest of those who attended the Glasgow Assembly could have foreseen with any accuracy the nature or strength of the currents which were to agitate the Church and State during the next fifty years, or foretold the fluctuations in power of Crown and Parliament and Assembly.

Our concern with the struggles which issued first in the establishment of the Commonwealth, then in the Restoration, and finally in the Bloodless Revolution must be restricted to noticing that in 1653 the Commonwealth Government forcibly dissolved the General Assembly and forbade it to meet again, a ban which was to prove effective until 1690; and that the Restoration involved the re-establishment of Episcopacy in the National Church, but, while, it was technically a re-establishment both the emphasis of the Episcopacy and process of enforcing it on the Church were very different from the former occasion. A subservient

Parliament in 1661, invested the restored King with absolute authority in State and Church and then became the instrument of his ecclesiastical policy, until ~~overshadowed~~ <sup>overshadowed</sup> by the Privy Council. Equally the Revolution involved the re-establishment of Presbyterianism, but the instrument on this occasion was not the Church met in General Assembly, but the State acting through Parliament which now reasserted itself.

For twenty years after 1639 the Five Articles, when remembered, were recalled to strengthen resolution and warn against temptation. References to them are, if not altogether, almost without exception, indirect. We have noticed how the Churches of Zeeland concerned for the welfare of the Church of England, called upon the General Assembly of the Kirk of Scotland to remember its deliverance from the Five Articles and everything associated with them, and in the strength of the liberty they enjoyed to nourish and support the Church of the Neighbour Kingdom.

We know that by early in the 1640's there was an influential party in Scotland which was convinced that Scotland would never feel secure until constitutional government and a Protestant Church akin to their own had been set up in England; and the Grand Remonstrance of 1641 and the Declaration of 1642 which agreed to abolish Episcopacy and settle a government most apt to promote a happy union with the Church of Scotland, establish beyond all reasonable doubt that they had their counterpart in the English Parliament and it was to "further the so much desired reformation in ecclesiastical matters in this Church and Kingdom (English) and to further a nearer conjunction betwixt both Churches", that Henderson and Warriston<sup>(1)</sup> drafted the Solemn League and Covenant.

Our interest in the Covenant lies in the opening phrases of the first and Note (1) Acts of Assembly 77.



second sections. Section one begins "We shall sincerely, really and constantly endeavour the preservation of the reformed religion in the Church of Scotland in doctrine, worship, discipline and government against our common enemies" while section two reads "We shall endeavour the extirpation of Popery, Prelacy, superstition, heresy, schism, profaneness and whatsoever shall be found contrary to sound doctrine and the power of godliness".<sup>(2)</sup>

Neither Henderson nor Wariston could have discussed these paragraphs or penned these words without recalling their earlier endeavours for the National Covenant and the long struggle against the Five Articles which reached its climax with the signing of that document. They must surely at least have hoped that they were bolting the door against any possible return of such profane, superstitious heresies, and buttressing sound doctrine and the power of godliness.

In spite of the drawing together of the Party leaders from both sides of the Border, and the acceptance by both Parliaments of the Solemn League and Covenant, the road ahead lay for the next seventeen years through Civil War and fierce ecclesiastical strife, until the restoration of Charles to the throne awakened fresh hopes and new fears, and substituted duplicity, intrigue and a scramble for influence with the King, for the more open warfare of the immediately preceding years. It is unnecessary for us to trace the intrigues of 1660 and 1661. The significance of the Restoration for the present thesis flows from two determinative actions. When, in January 1661 Parliament met, the Lords of the Articles found themselves faced with the burdensome task of reviewing a multitude of Acts of former Parliaments, and where necessary drafting amending Acts. They took the short and at first sight, simple, way out, and drafted the Act Recissory annulling at one stroke all the parliaments which had been held since 1633.

Note (2) Hetherington: History of the Westminster Assembly. 4th edn. 123.

Parliament, by a great majority passed the Act and Middletoun, the Commissioner, signified the Royal Assent without waiting to consult the King. Burnet said of the Act that it "was a most extravagant act, and only fit to be concluded after a drunken bout. It shook all possible security for the future, and laid down a most pernicious precedent".<sup>(3)</sup>

Be that as it may, having received the Royal Assent it was determinative; the King was, by a stroke of the pen lifted back into the position of 1633 and the Five Articles should have become normative for the worship of the Church with whatever authority they enjoyed at that date.

Parliament was adjourned on 12th July 1661 and did not meet again until April 1662 but in the meantime Charles announced to the Privy Council his intention of setting up Episcopacy and invited their advice upon it; and the Council having approved, proceeded to the appointment of Bishops.

Sydserf, the one surviving bishop of the First Episcopacy, was passed over for the Primacy in favour of Sharp and appointed to Orkney, and the Bench was completed for the time being by the appointment of Fairfoul to Glasgow, Hamilton to Galloway and Leighton to Dunblane, with the Deanery of the Chapel Royal attached. These all proceeded to London and were duly consecrated in Westminster Abbey and shortly after returned to Scotland "all in one coach"; only Leighton abandoned them at Morpeth when he realised that they planned to be received with pomp and ceremony at Edinburgh. When Parliament met, though the former laws in favour of episcopacy were, following the passing of the Act Recissory, once more in force, the newly consecrated Bishops were formally invited by the other Estates to take their seats in Parliament, which, with the exception of Leighton they did. The first Act passed was for restoring Episcopacy and settling the government of the

Note (3) Burnet History of His Own Times. 1. 216.

Church in the hands of the bishops.<sup>(4)</sup>

To quote Burnet once more "This was plainly the setting episcopacy on another bottom than it had been ever on in Scotland before this time".<sup>(5)</sup>

The powers conferred on bishops by this Act, in conjunction with the interests and prejudices of Sharp, the prelate, determined the nature of the second Episcopacy, and the ground over which the battle between Episcopalian and Presbyterian was to be fought during the next twenty five years or more. Soon after their consecration Leighton sought to interest Sharp in the two causes which carried most importance for him, namely a reconciliation between presbyterian and episcopalian; and the attempt to heighten piety and bring the Church over from extempore methods to a more regular and ordered form of worship. This last he thought much more important than the form of government of the Church, and it was the opportunity for re-establishing the Common Prayer which made the deanery of the Chapter Royal attractive to him. To his disappointment Sharp showed no interest in either cause, his first concern was for Parliament to provide a sound legal title to their bishoprics and his second, that thus invested with power, they should establish undisputed authority over the whole clergy; only when that was accomplished would he have leisure to consider the nicer points of Church Order and Forms of Worship.

According to Blair it was not till 1675 or thereabouts, that there was any significant movement among the Conformists for the reintroduction of a liturgy and even then "the fox Sharp was not much for it, only because he had no will to ride the ford where his predecessor drowned."<sup>(6)</sup>

W.L. Mathieson sums up the situation so far as Worship and the Five Articles

Note (4) Burleigh: A Church History of Scotland. 241.

(5) Burnet 1. 258.

(6) Blair 563.



are concerned in these sentences "Public Worship, the attraction of which had first <sup>A</sup>shaken, and then subverted the former hierarchy, remained practically unchanged. The Perth Articles, which in virtue of the Act Recissory had again become law, were generally ignored; kneeling at Communion was almost unknown; and few of the clergy observed either Christmas or Easter. There was no altar, no surplice, no burial service, no liturgy for even the Book of Common Order had fallen into disfavour amongst the Covenanters, and was now very rarely used".<sup>(7)</sup>

Regarding the observances of Christmas, Blair tells us that in 1662 - "The Prelate came to St. Andrews a little before the 25th of December, to keep that day holy. He preached that day, having given orders to the magistrates that no merchants shops should be opened, and that craftsmen should not work on that day. He invited the masters of the University, and others, to a feast. Haec initia Malorum".<sup>(8)</sup> We have no evidence however as to how far his prohibitions were observed, and equally we lack evidence that he sought to repeat the practices of 1662 in subsequent years, or made any effort to secure the general observance of Easter.

We may sum up the situation by saying that while the Act Recissory opened the door for the re-imposition of the Five Articles, the second Episcopacy followed a course so different from that of the first that their enforcement never became a live issue. This, as we have seen, was largely due to the fact that the influence of Sharp was dominant, and not that of Leighton. Two very different strands of evidence continue, however, to establish that, though not practised, the Five Articles were neither forgotten, nor dismissed as no longer significant.

Note (7) Mathieson: Politics and Religion ii 258.

(8) Blair 432.

William and Mary having accepted the Crown of Scotland, the Convention of Estates, now recognised as the Scottish Parliament, legislated in 1689 for the abolition of Episcopacy and in 1690 for the re-establishment of Presbyterianism. The principal instrument for the latter, was the Act "For Ratifying the Confession of Faith and settling Presbyterian Church Government". Among other things this Act specifically rescinded the "Act entitled: Ratification of the fyve articles of the General Assembly at Perth. Ja.6: Part 23: Cap 1st."<sup>(9)</sup>—evidence, surely that the Articles had not been forgotten, nor their current validity lost sight of. It is worth noting in this connection that the General Assembly, when it met in October, saw no need to confirm or re-affirm what had been done in Parliament. The Assembly contented itself with approving an Overture requiring Probationers, Ministers, and Elders "to subscribe their approbation of the Confession of Faith, approved by former General Assemblies of this Church, and ratified in the second session of the current Parliament"; and passing an act forbidding the celebration of either of the sacraments in private - "that is, in any place, or at any time, when the congregation is not orderly called together to wait on the dispensing of the Word. And appoints that this be carefully observed, when and wherever the Lord giveth his people peace, liberty, and opportunity for their public assemblies".<sup>(10)</sup> In 1695 the Assembly got round to considering anew how the Church should protect herself against Novations in doctrine, worship or government, and, as a temporary measure, revived "the Acts of the former Assemblies made there: anent, and particularly the 13th Act of the Assembly 1639, and 14th Act of the Assembly 1641".

In 1717 there was published anonymously "Memoirs of the Church of Scotland"

Note (9) Acts of Parliaments of Scotland 1424-1707. 213.

(10) Acts of Assembly 227.

in four periods, with an Appendix, of some transactions since the Union. Our interest is with the closing sentences of the Appendix, when the author writes, "Indeed we find the Commission of the Assembly very earnest to solicit the redress of these Grievances, and not without Hope that it shall be effected: And therefore, even while this was writing, Two Ministers, viz. Mr. - Hamilton, Professor of Divinity in the College of Edinburgh, and Mr. William Mitchel, one of the Ministers of Edinburgh, are Deputed by the said Commission to attend the sitting of the approaching Parliament, to get, if possible, Redress of the Churches Grievances, and a Repeal of those Acts which passed in the preceding Reign in their Prejudice: The Acts are particularly -

1. The Act for restoring Patronages.
2. The Act for Tollerating Episcopal Meetings.
3. The Act for the Yule Vacance; that is, for keeping Christmas.

If these Three are obtain'd, the Church will then be restored to her full Lustre and Authority, and its hoped will never more have any Occasion to Complain of being Oppressed."<sup>(11)</sup>

This may be the last echo of the old controversy. Parliament has abolished the Five Articles, the General Assembly has taken steps to regulate the celebration of the Sacraments, has guarded against Innovations, and now protests against the observance of Festival Days. The second strand of evidence is drawn from a pamphlet entitled: "A Short Account of Scotland" in which one may read the extraordinary Statement - "I know of no Book of Canons they have except the Perth Articles and the Directory above mentioned, which they also seem to have an eye to, ~~are~~ are very uniform by that means in their worship and discipline".<sup>(12)</sup> The Book was written, as the Author tells us, because

Note (11) Memoirs of the Church of Scotland - last page. (pub. ANON: alt to DANIEL DEFOE)  
 (12) Morer; A Short Account of Scotland.



everyone was talking about Union between England and Scotland, and it was based on notes which he had made when he was in Scotland some fourteen years earlier. On its first publication in 1702 it apparently met with a ready sale for it was re-issued in 1706 and again in 1715.

The Author was Thomas Morer, Rector of St. Anne's, Aldersgate in the City of London. He had served for a time as a chaplain with the Army in Scotland, and according to his own statement was made a Burgess of Dundee in August 1689, so it was presumably about that time that he was making his notes and forming his impressions of life and religion in Scotland. Certainly his remarks about the Five Articles could not apply at the time when he wrote and published the pamphlet - Parliament had rescinded the Act which gave the Articles any authority more than ten years before. It is however equally difficult to believe that the statement gave any accurate description of the state of affairs at the time when he was serving in Scotland; indeed other statements confirm that the Articles were without influence at that time. Of the Lord's Supper he writes:- "The Eucharist, or Lord's Supper, is rarely administered (perhaps once or twice a year) and with great caution. Tis given to the congregation sitting, after the example of the Apostles eating the Old Passover..... but whether the same gesture was kept after the Paschal Supper is more than anyone knows".<sup>(13)</sup> We do know however that the arrangement which he has described is not according to the Perth Articles. Furthermore, having discussed in all its aspects the History of the Reformed Church in Scotland, he concludes, (i) that Episcopacy is the Natural Government for a Church, and (ii) that at the Revolution Presbytery was let in, but in such a manner as scandalised all Religion. He adds "All that at present I aim at is to show the unreasonableness of so much

Note (13) *ibid.*

heat and rudeness in shutting Episcopacy out of doors, when its temper in Scotland is such, that tho' in name and jurisdiction it is called Episcopal; yet the way of its Administration is so wide from Episcopacy elsewhere, that any stranger would take it for little else than Presbyterian, and an indifferent Eye that sees the agreement in their worship and Discipline cannot but think it a Dispute about Words". (14)

The Eye of the stranger recognises that though Episcopal in Government the Scots think and act and worship like presbyterians; and everything we know from other sources confirms his observation; how then can he state that their worship is regulated by the Perth Articles? The most satisfactory, as the most likely explanation is that he did not know what the Five Articles were - certainly many of his English readers would have little or no idea what the Articles were about, and in his pamphlet he does not attempt to explain - To his enquiries about the standards of worship he receives the perfectly accurate answer that legally the Norm is provided by the Five Articles of Perth, true for the whole period of the Second Episcopacy - and remember that he is probably being answered by an Episcopalian.

Because he does not know, and his informant does not take time to explain in detail what the Five Articles are, he assumes that the legal is also the practical Norm, and fails to realise how completely his own observation belies his statement about the Perth Articles. His significance for us is that at one and the same time he confirms that in the 1680's the Articles were still in theory regulative; and in fact, they were ignored.

We must conclude that, having been almost without any influence throughout the period of the Second Episcopacy, the Five Articles were banished from the

Note (14) *ibid.*

policy of the Church of Scotland in 1690, and this time finally. From now on any interest in them was mainly historical, occasionally perhaps sentimental. It is obvious that a certain interest has never been wholly absent for any length of time. The mid eighteenth century saw the republication of such works as the Irenicum of Dr. John Forbes.

The early nineteenth century was the period of The Societies, - Bannatyne, Spalding, Spottiswoode, Woodrow and the rest - practically all of whom made some contribution to our knowledge of the controversy. Under the twin influences of a re-awakening interest in forms of worship, and the birth of the modern ecumenical movement the late nineteenth and early twentieth century witnessed a quickening of interest once more, particularly in the work of one of the Aberdeen Doctors; and the period, its personalities and its controversies, have provided a field fruitful in theses ever since. But the fire has gone out of the controversy, and many of the things for which the Fathers fought are now the unconsidered practice of their sons.



CHAPTER 14.IN DEFENCE OF INNOVATIONS

When one has traced the long and bitter controversy occasioned by the Five Articles, he is almost bound to ask what compelling reasons urged the Crown first to propose them and then to attempt to force them on a Church which showed no eagerness for them, and many of whose members immediately expressed their opposition in no uncertain or limited terms. It is the truth or very nearly the whole truth, that in 1617 there was only one voice in Scotland to advocate the Five Articles and that was the voice of the King: and in the last analysis there was only one reason for imposing them, the fact that the King wished it. It is true that Spottiswoode had suggested that the order and worship of the Kirk could be improved, but that was a personal opinion, and he was no advocate of the Articles. He was prepared to give it as his opinion that the Kirk could do well wanting them.<sup>(1)</sup> But it must do ill if it opposed the King, and so though considering them both unnecessary and untimely, his vote was for conformity.

James could and did say that he was moved by a concern for order, seemliness and dignity in the Service of the Kirk; he could reason that there were advantages in a measure of similarity, if not of uniformity in the worship of the two National Churches, But from the beginning his argument for seeking to force the Articles on the Church was that he wished the changes, that in ordering them he was acting within his rights, and that he was entitled to expect that in such matters and such circumstances he would be obeyed.<sup>(2)</sup>

It was to buttress this position of the Royal Authority that the King pressed the Bishops to engineer that a subservient Assembly commended them to the

Note (1) Calderwood vii 397.

(2) *ibid.* 309.

Kirk and later that an obedient Parliament gave them the appearance of lawful sanction. From 1621 onwards the ground on which to press conformity was greatly enlarged; it now had the authority of law in both Church and State, and this, as we know, carried weight with Patrick Forbes and others; but all that has really happened is that the King has invoked the support of Parliament, not because he doubted his right to command but because Parliamentary sanction automatically branded the disobedient as rebellious lawbreakers<sup>(3)</sup>. ~~but~~ <sup>however</sup> the fundamental argument for conformity is still the King has decreed, it is the duty, and the wisdom, of the subject to obey.

It has been suggested that James found the service of the Church of England more attractive than that of the Church of Scotland because essentially his nature was not devout, <sup>and found boring</sup> a Service, the appeal of which was almost entirely to the intellect. ~~he found boring~~; One which made occasional demand for response in word or in movement, yet was fixed in form, offered a pleasing variety without demanding undue concentration. This may well be so, but it would hardly justify the attempt to force ceremonies on a Church in the worship of which he would practically never take part. Professor Donaldson is almost certainly right in his conclusion that long before 1625, James had lost all interest in ceremonies as such, and was only concerned to enforce them as tests of obedience,<sup>(4)</sup> and it seems probable that, from the beginning, his main interest was to make them instruments whereby in one more field of the nation's life, he asserted his absolute authority.

In 1618 it became the duty of the Bishops, however lacking they had been in enthusiasm for the ceremonies, to enforce conformity. The arguments which they and their colleagues in the Court of High Commission used ran parallel to those of the King - the Sovereign had decreed and that should be sufficient for

Note (3) *ibid.* 508

(4) Donaldson: Scotland James V - James VII. 210.

any loyal subject. The Assembly had enacted and that should be enough for any good churchman; and after 1621 Parliament had ratified and surely the law abiding citizen was left with no choice. To the wavering they offered another sanction - the questions at issue concerned matters which were "indifferent", that is to say not fundamentals of the Faith, and that being so, even if one doubted the King's absolute right, it was surely reasonable to give so wise and good a King his own way, rather than bring division into the Church. For the disobedient there remained the Sanction of punishment, conform or suffer. A layman might be fined or confined, deprived of office, if he held such, or banished from home or business. A minister might be threatened with loss of stipend, suspended from the exercise of his ministry, confined within his parish or banished from it or deposed. These were the Sanctions by which the King and Bishops sought to secure conformity. They were not in any real sense, reasons for the introduction or the acceptance of the particular ceremonies - these needed no justification beyond the Royal will.

If the Doctrine of the Divine Right of Kings is accepted all is well, but the moment it is challenged the supporters of conformity must think again, and must seek justification for the ceremonies in themselves and in particular must seek to counter the arguments advocated against the ceremonies by the non-conformists. Long before the Perth Assembly met, the King's authority had been challenged and both the individuals articles, and the whole movement for reform had been condemned. Spottiswoode was well aware of this fact and in his Sermon at the Opening of the Assembly sought to discredit the critics and to persuade the Assembly to conform to the Royal will.

Having quoted Calvin to the effect that "the power of adding, altering, innovating, and appointing Ceremonies, remains with the Church, to do therein as she



in her wisdom shall think meet", and having added as his own comment "And, certainly, there is no other way to keep away differences for matters of Rites and Ceremonies, but this, that every man keep the custom of the Church wherein he lives, and observe that which is determined by the Governors",<sup>(5)</sup> One would have thought that he had seriously complicated his task.

Not so the Archbishop. He lays down two principles - first, "the evil of Novations, especially in matters of Rite and Ceremony, is nothing so great as the evil of disobedience", and second, "to contend is not a fault, if so be it be for a weighty matter; but to be contentious in a light business, this is faulty, and reproved by the Apostle". He then goes on to examine the Ceremonies as a whole, and in particular, and by quotations from Calvin, Beza, and others seeks to prove that at some time, in certain circumstances one section or another of the Reformed Church had approved each of the proposed ceremonies. He sums up the situation as he sees it in the following paragraph.

"Thus I have shewed you the judgement of the best Reformed Churches touching these Articles: Thereby you have seene that there is nothing impious or unlawful in them: they who shew a dislike of some of them in the last Assembly, could not say other. And surely, if it cannot bee shewed, that they are repugnant to the written Word, I see not with what conscience wee can refuse them, being urged as they are by our Sovereigne Lord and King: A King who is not a stranger to divinitie, but hath such acquaintance with it, as Rome never found in the confessions of all men a more potent Adversary: A King neither superstitious, nor inclinable that way, but one that seekes to have God rightly and truly worshipped by all his subjects, His Person, were he not our Souvereigne gives them sufficient authoritie, being recommended by him; for hee knowes the nature of things and

Note (5) Lyndesay: A True Narration 28.

the consequences of them, what is fit for a Church to have, and what not, better than we doe all." Then having answered what he regards as certain minor objections he concludes, "Brethren, we have too much business about these matters. The Kingdome of God consists not in them but in righteousnesse and peace, and joy of the holy Ghost. Away with fruitlesse and contentious disputings. Remember the works wee are sent for, is to build the Church of God, and not to destroy it; to call men to Faith and Repentance; to stirre them up to the works of true pietie and love, and not to make them think<sup>e</sup> they have Religion enough when they have talked against Bishops and Ceremonies".<sup>(6)</sup>

Quite apart from any influence which it may have had on the decisions of the Assembly, the sermon is important in the study of the controversy because the Archbishop in the pulpit combines the roles of the Civil Servant seeking to secure that the ecclesiastical machine works smoothly, and the Controversialist pleading for a verdict in favour of conformity. In this dual rôle he is concerned to establish the harmony between the Royal will and the practice of the <sup>Reformed</sup> best ~~Reford~~ Churches, the relative unimportance of the matters in dispute, the duty, therefore of obedience, and the importance of the Royal Favour for the good of the Kirk and the well-being of Kirkmen.

Perth Assembly having completed its task, the work of the Civil Service was taken over by the Court of High Commission and the Bishops in Diocesan Synod. Their concern is not to plead the cause of conformity but to enforce the Royal will and give effect to the decisions of the Assembly. The Controversialist enters the field with a task of his own. In the attempt to persuade to conformity he develops the line which we have seen Spottiswoode take in his Sermon when he looked to Calvin's Institutes, among other places, for support. Men like Lyndesay,

Note (6) *ibid.* 22, 23, 39, 45.

Bishop of Brechin and author of "A True Narration" and other works, range much more widely, drawing on the works of the Fathers and Roman as well as Reformed Theologians. They plead on behalf of the Ceremonies - their ancient lineage and the fact that much the greatest part of the Christian Church still practises some or all of them, and they argue that the reasons which led the Scottish Reformers to abandon them at the Reformation are no longer valid - superstition is not only by-past, the superstitions are forgotten, and the resurgence of Romanism is no longer a danger. Each of the ceremonies should commend itself as a worthy response to the Divine Majesty and a powerful stimulus to devotion.

These are the broad lines of the Defence of the Ceremonies which were to be canvassed for the next twenty years. Naturally the emphasis varies from author to author, and indeed from pamphlet to pamphlet, and is often influenced by the fact that the author was seeking to refute a particular statement on behalf of the opposition. As time passed, and tests of conformity were required of ministers and others, new elements came into the discussion - questions such as the correct interpretation of such phrases as "the religion presently professed", whether past oaths are binding in changed circumstances and in an apparent conflict of loyalties how does one determine the prime loyalty?

Another aspect of the matter which must be noted is that for the most part the argument is ecclesiastical rather than doctrinal, and when doctrinal issues are pursued the result is to divide, rather than to unite, Scottish theologians. Without question the two great theologians of the controversy were Wm. Forbes, first Bishop of Edinburgh and author of the "*Considerationes Modestae et Pacificae*", and Dr. John Forbes author of the *Irenicum*.

William's studies led him to conclude that there were two prime theological necessities - the first, that we should affirm the Real Presence of Christ in



the Sacrament, without over anxiously enquiring how He is Present: and the second, that we should be careful not to derogate the power of God. Of the second he writes:- "Let us all humbly own our ignorance in very many things which we read that God has done, and which even at this day are perceived to be done rarely: let us learn to admire the divine power, and take care that we do not on account of the narrowness of our own understanding, detract or derogate anything from the absolute power of God, who worketh above "all that we ask or think". Concerning the first he quotes with full approval Andrews, Bishop of Ely, answering Bellarmine - "We agree with you as regards the subject, all the controversy is about the manner. As regards the words, "This is, we hold with a firm faith that it is". Furthermore he insists that the adoration of Christ in the Eucharist is far more important than the manner in which the adoration is expressed but rebukes his Presbyterian Brethren in these terms:- "to condemn as unlawful the outward gesture of adoration which almost all Christians from the very times of the Apostles have observed, either standing or be<sup>3</sup>ding their knees in receiving the Eucharist (and do observe even at the present day) is assuredly an act of great rashness and audacity".<sup>(7)</sup>

He was probably alone among Scottish Kirkmen in believing that, at least in theory, a reconciliation with Rome was possible, and that mutual toleration should be an immediate goal.

As a teacher of Theology, John Forbes had a certain following at least in the North East; as a controversialist his first concern in the Irenicum is to defend conformity against contemporary attacks; and if it may be, to secure its permanent establishment within the National Kirk. With this double end in view he enunciates a doctrine of the Sacrament, based upon a real Presence, and a

Note (7) Forbes: Considerations Modestae et Pacificae. 439, 402, 545.

theory of the place and manner of adoration. His second concern is to set this doctrine in the main stream of Christian Tradition and this he attempts to do by drawing evidence from works ranging from the Early Fathers to contemporary writers in the Reformed Churches. In brief his endeavour is to achieve a consensus of opinion as to how best the Mystery of the Sacrament may be celebrated to the Glory of God, and the spiritual enrichment of the communicant. His ideas were not widely shared beyond the sphere of influence of his own college, and it was his fate to be charged with Arminianism.<sup>(8)</sup>

In a debate which continued for over twenty years and bridged two reigns, which was vitally concerned with the relation between the Sovereign and the National Church, which involved both Ministers and laymen, and among Churchmen stirred the interest of all types, ecclesiastics and dogmatic theologians, liturgists and plain parish ministers, the argument naturally was neither static, nor narrowly confined in its range. But, as Hume Brown wrote long ago, "the question at issue was simply the assumption of James VI that his subjects were bound to take their religion from him, and this remained the absorbing question till new conditions arose which gave a new direction to the national Mind".<sup>(9)</sup> In the end of the day this assumption was what they were all defending.

Note (8) Gillespie: Dispute against the English-Popish Ceremonies. 7.

'Who can be ignorant what a large spread popery, arminianism and reconciliation with Rome have taken among the Arch-urgers of the Ceremonies.'

(9) Hume Brown: Surveys of Scottish History 64.

CHAPTER 15.THE GROUNDS OF OPPOSITION.

We have seen that opposition to the Five Articles found immediate and vigorous expression in the refusal of ~~the~~ Ministers to celebrate and of congregations to receive the Sacrament of the Lord's Supper in conformity with the First Article. We have also seen that this opposition was widespread both geographically and socially - Peers of the realm, leading Burgesses in the Burghs, ordinary members of congregations in both town and country refused to bend the knee at the Lord's Table.

When we turn from recording the fact to considering the reasons for the opposition we are bound to admit that we cannot know what motives inspired each of the non-conformists, equally we are bound to agree that the motives of many were probably mixed, and we cannot say what weight one motive, as compared with another, carried with particular individuals or with a majority of the protesters.

Without any particular study of the evidence it is safe to say that a native conservatism would prompt many to oppose a change from established practice; equally what a respected or loved minister was known to think would influence others; while there would not be lacking those who sensed Romanising tendencies in such changes. Others again would be opposed not so much to the changes as to the manner in which they were imposed upon the Church.

Each of these considerations would influence some, while combinations of two or more, in varying degrees, might determine others in their opposition; and many individuals might be hard put to say honestly what was their chief motive, or their main ground for opposition. These were normal reactions to change and innovation, then as now.



But these are generalisations, and we are not left free to generalise on this subject. There are three lines of evidence which anyone is bound to examine before forming conclusions as to the ground of opposition.

The defences of some of those who were proceeded against for non-conformity have been preserved and from them we may hope to learn at least the main grounds of their opposition.

A number of contemporaries sympathetic to or critical of the non-conformists have left on record their impressions. From these too we may hope to learn something of the objections to the Articles which were generally current. Finally there is the evidence of the Pamphlets. The writers, whether attacking or defending the Articles, not only marshal arguments for or against, with which they hope to persuade others; at the same time, inevitably, they highlight some of the most widely canvassed objections to conformity. We now proceed to examine each of these strands in turn.

(a) IN SELF-DEFENCE

Following the celebration of the Sacrament on the 7th March 1619 "in the West Kirk, beside Edinburgh, according to the laudable ancient forme of this reformed Kirk", the Ministers - Richard Dickson and Wm. Arthur were cited before the Court of High Commission. Their pleadings have not been preserved, but their point of view can be gathered from the fact that the charges against them included that "the said Mr. Richard Dickson, in an exhortation made by him to the people sitting at the table, inhibite and forbade them to kneel, and declared, that that conclusion of the General Assemblie - was in the self superstitious and damnable, and inclined for the most part to idolatrie".<sup>(1)</sup>

Note (1) Calderwood vii 353.

This must have been the view also of Thos. Hogge, Minister of Dysart. A month later, when before the Commission for Criticising the Five Articles in an address to the Exercise of the Presbytery of Kirkcaldy, he was asked by the Archbishop of Glasgow "to show me plainlie and sensiblie a reasone why kneeling ought not to be used in the act of receiving the Sacrament of the Supper, as weill as capping". Mr. Thomas replied "The reason is easie to them that are desirous to understand the truth, and are not of a prejudgit opinion; namelie, capping in religious exercises is an outward gesture of veneration or reverence onlie - But kneeling in religious exercises is a gesture of adoration or divine worship, which is proper to God alleynarlie. Heirfore, <sup>ce</sup>exemption is justlie against kneeling in the act of receiving the Sacrament of the Supper, by reason, that as the honour of God is incommunicable, so religious kneeling, which is the gesture of Divine worship is not to be used in the act of receiving the Sacrament of the Supper; for that were to part God's honour betwixt God himself and the Sacramental elements". (2)

When Henrie Blyth and David Forrester "were accused of contempt of His Heines' authoritie interponed to the Acts of Perth Assemblie, of disobedience to the said acts; and specialie, for giving Communion without kneeling and entysing the people of Edinburgh to leave their owne Kirkes, and came to theirs", they took a different line, claiming boldly that they had lawes and acts of Parliament, and the practice of the Kirke during the last fifty years to support their manner of celebration and that there was neither act of Parliament nor act of Assembly, not even of Perth Assembly, inhibiting or discharging the former practice (3) But Forrester at least, did not take his stand simply on the lawfulness of the course which he had pursued; at a later meeting, pressed to conform by Spottiswoode, who

Note (2) *ibid.* 376

(3) *ibid.* 388.

had an order for his deposition, he replied, "My Lord, it is a thing I will not say I will do; nor will I say I will never do it. But yet I cannot be persuaded of the lawfulness of it; for I was brought up under that reverend man Mr. Patrick Simson, from whom I sucked the contrarie from my childhood. I was taught by him that sitting was a sacramentall ceremonie, signifying our Spiritual familliaritie with Christ our Head; whilk I held agreeable to the Scripture, and therefor not to be altered".<sup>(4)</sup>

Particularly important, not only for our present purpose but also for the light it throws on the whole question of opposition to the Articles, is John Scrimgeour's account of the proceedings against himself in the Court of High Commission on 1st March 1620. He along with others, had been cited before the Court in the early days of the year for wilfull and obstinate disobedience to the Acts of Perth - particularly in not observing Festival Days nor administering the Sacrament conform to the Acts. The diet was continued to 1st March 1620 with the threat of deposition if they had not agreed by that time to conform. After the event Scrimgeour set down in the form of a dialogue between himself and the Bishops the proceedings as they concerned him, and Calderwood later printed the account in his History where it occupies ten pages.

Asked whether he would conform to the Acts of Perth, particularly with respect to the Administration of the Sacrament, he asked the Court, before he would answer, to recognise that if he refused to conform it was not because, as we might say, "he was agin" the government", it was because from childhood he had been taught differently, he had been receiving the Sacrament in the old form for some forty years, he was convinced of the truth of the doctrine, and was bound by his own vows and his past profession of faith and the bonds into which the Church had

Note (4) *ibid.* 407.



entered at various times. To conform to Perth he must deny all these.

Challenged by the Archbishop with the Church's right to change her policy and make alterations in ritual and more particularly with Knox's statement that "the Church may change rites and ceremonies that engender superstition and profanation."<sup>(5)</sup> He accepted the statement and declared that that was exactly why they changed from kneeling to sitting - that was what Knox meant and what he practised. When Spottiswoode suggested that sitting at table occasioned superstition and profaneness - Scrimgeour denied the possibility and declared that if it could ever be proved he would come right over to the Conformists side. He further claimed that since kneeling had been re-introduced "Sundrie Papistick bodies had thanked God for the old world come again", and he would not allow that most of the reformed Kirks had kneeling.

Pressed to conform he replied "I cannot; I know no conformity but with Christ in his death, and sufferings, and in glory"; asked if he would refuse conformity he replied "Indeed I will" and agreed to a written declaration that "he refused as not being persuaded by any reason that he ever saw, and was sorry in his heart the King's Majesty should urge him with anything he could not be resolved in conscience to do". Finally so far as our present purpose is concerned he gave in in writing nine reasons why the Court should not pass sentence on him, - the first, third, and fourth of which deal specifically with the manner of administering the Sacrament. In the first he draws attention to the fact that kneeling is recommended, not enjoined: "the Assembly thinketh good" but does not enact or ordain; and by practise, long established in the Church, when the form is not precept but recommendation there is freedom to the individual. In the third he emphasises that kneeling is commended as appropriate to prayer yet the

Note (5) *ibid.* 415.

Articles leave the congregation free to stand or sit at prayer; if that be reasonable how much more reasonable that the congregation should be left free to continue to sit at the Sacrament.

In the fourth reason he is concerned to insist that there is only one form of ministration of the Lord's Supper which can claim to be warranted by approval of the Kirk, the form which is printed before the Psalm Book which he has always used and continues to use. Perth Assembly did not set down any express form of ministration and certainly did not give its authority to any of the forms which are presently being practised where alteration has taken place.<sup>(6)</sup> In short Scrimgeour considers that to kneel at the Sacrament would be to break faith with the Fathers of the Scottish Reformation, to break fellowship with a great part of the Reformed Church, to deny both the heritage of the Scottish Church and his own past faith, witness and life; to come at least perilously near to idolatry, and to re-open the door to Romish superstition. Furthermore he is satisfied that neither the Five Articles nor the actings of the Assembly which met at Perth in 1618, provided an adequate foundation upon which to attempt to enforce such a radical change in the practice of the Kirk.

It would seem from the evidence which has survived, that about this time the non-conforming party agreed that their proper course, if cited before the Court of High Commission, was to decline the jurisdiction of the Court; Calderwood prints some of the declinatours, a comparison of which would suggest that they had a common origin and he quotes Spottiswoode as alleging the same so soon as he heard part of David Dickson's Declinatour at a meeting of the Court in 1622.<sup>(7)</sup> One consequence of this policy was that ministers no longer sought to explain or defend their conduct and with perhaps one exception, we can no longer look to the

Note (6) *ibid.* 421.

(7) *ibid.* 537.

records of the trials for evidence as to the grounds of opposition to the Five Articles. The exception is the case of George Johnston, cited to appear before the Court on 9th January 1622. He excused himself by letter, pleading the state of his health, and the stormy weather; and he asked the Court to consider "that he had been preaching these fifty years against the Romish Ceremonies, and if he should build now again the thing that he had destroyed, he should make himself a transgressor".<sup>(8)</sup>

Obviously he had no doubt that to receive the Sacrament kneeling was to take a long step back toward Rome.

In the light of the foregoing evidence we are bound to conclude that there were many ministers and members in the Scottish Kirk who in 1618, and for many years afterwards, were thirled to the form of administration of the Sacrament printed in the Psalm Book. It was the form which they were familiar with since childhood, in which they had been trained, the form to which they had pledged themselves and which they had practised, and, in their judgement, it was the only form which had valid authorisation; added to that it was a link binding to the fathers of the Scottish Reformation and uniting them with the great branches of the Reformed Church.

Probably for all of these it had in addition the essential qualification that it was scriptural and by intention symbolic. These considerations in combination convinced them that the established form of administration, if not unchangeable should only be altered after fullest consideration in the Courts of the Church, in the light of most pressing necessities, and in conformity with the Word of God.

On the other hand a party in Church and State was urging the adoption of

Note (8) *ibid.* 534.



an alternative form which included kneeling at the reception of the Elements - and this form in the judgement of many, was without ecclesiastical warrant, contrary to Presbyterian tradition, and wholly lacking in authority in the Word of God - and for these reasons to be rejected. But in addition kneeling at the reception involved, or could involve, adoration, which meant giving to the creature what was due alone to the Creator, or bestowing on the Elements what belonged only to God - so this form should be rejected as tending toward idolatry.

Finally the practice was Romish and had fostered Romish superstition, in the past - it was, in the first instance, for that reason that it had been rejected by the Reformers, and that they had turned back to Scripture in search of safer guiding in the administration of the Sacrament. In the judgement of many, Romish superstition was still a danger in Scotland, with Romans living and worshipping unmolested - to restore kneeling would be to invite a return to Rome, and so should be rejected.

These are the grounds of opposition professed by those who stood their trial before the Court of High Commission.

(b) BETWEEN OURSELVES

The evidence now to be considered represents gleanings from wide and various fields of correspondence, impressions and reminiscence. One imagines that there must have been a very considerable correspondence - official and unofficial - reporting on the observance of the Articles and discussing arguments for and against; if so, much of it has been lost, but enough remains to shed some interesting light on the arguments against kneeling.

In 1617, anticipating the meeting of the General Assembly at St. Andrews, the aged, and ailing, Patrick Simson wrote to Mr. Wm. Scott and Mr. John Carmichael - "of novelties to be brought into the Church service, whereby we can gather

nothing excepting a new Schisme renting the bowels of our Kirks". In the course of the letter he disclaims any particular knowledge of "matters to be intreated in the Assembly", and claims to write only to urge them to press for the business being made known to Commissioners, and to warn them against episcopal mis-representations. But he can hardly have been ignorant of the King's wish to force on the Church the practice of kneeling at the reception of the Sacrament - and this must surely have been in his mind when he wrote of "rites and ceremonies" and of "novelties to be brought into the Church Service". If that be so, it is surely highly significant for our present purpose that he writes of "our holy fathers who begat us in Christ, and left to us, as it were, in haeriditie infetment a pure forme of worshipping God agreeable to his written word" - and goes on to say that if we accept "rites and ceremonies in the Kirk not commended by God", we betray our heritage, and "do great injury to the honest fame and revered memoriall of our godly predecessors". Thus early in the controversy Simson sets down three fundamental objections to kneeling - (a) it lacked warrant in the Word of God; (b) it was contrary to the Faith of the Fathers, and the practice of the Reformed Kirk, and (c) it unnecessarily introduced a cause of division into the Church.<sup>(9)</sup>

Of more than ordinary interest is the letter which Patrick Galloway wrote to the King on November 5th 1617. In justification for writing as he does, the Minister pleads his urgent desire to have the personal advice of the King by which to guide his own conduct, to inform others and to "meet and mend those who are otherwise minded" - as to the Fyft Article of receiving the Lord's Supper kneeling". Its special interest lies, not in Galloway's desire to prove himself a good conformist, and effective instrument for furthering the Royal policy, but in his, Note (9) Select Biographies i. 99.



presumably, honest statement of his own point of view at that date. The paragraphs are worthy of quotation in full: "And as for my awin opinion heerin, I think as yet that the best forme of taking it is, as we do, sitting; because, first, Christ our Lord did so: he had a table (Luk. 22. 21, and vers. 14) sat down with the twelf to celebrat the Supper; and Christ's action sould be our institution. And the Apostles' rule is (1 Cor. 11.1.) Be ye followers of me as I am of Christ, and (vers. 23) I have received of the Lord that which I have delivered unto you", so following simply the practice of the Lord in the celebration of the Sacrament.

"Nixt Prayer and prayse going immediately before the action, and following immediately after the action with kneeling, it appears most seemly that the action itself should be according to the custom used in such actions; and that is, to eate and drink sitting, and as communicants with our Lord, to rejoice with Him at His table.

"Thirdly, the Churches Apostolic and such as followed after them, till the yeare 1215, never used, as I can read, kneeling at the receiving of the Communion until Pope Innocentious 3, at Lateran, decreed Transubstantiation of the elements in the Sacrament; and after him Pope Honorious 3, the year 1220, decreed that the elements should be lifted up by the priest, adored be the people, and keepid in a box and on the box should be this inscription, Hic Deum adora: item flecte genu: pxiis hic venerabilis hospite Christe".<sup>(10)</sup>

We do not know the terms of His Majesty's reply, we do know that Galloway became the good conformist that he wanted to be; but we also know that at one time he believed, as others continued to believe, that the practice of Christ should be the norm for his church; that sitting in receiving was most seemly

Note (10) Original Letters. ii. 511 ff.



to the action and mood of the Supper; and that kneeling was a 13th Century introduction implying adoration and consequent on the adoption of the doctrine of Transubstantiation.

One more letter from this period may detain us. It is to the King from Thos. Binning, Earl of Melrose, <sup>who</sup> as Commissioner ~~he~~ is reporting on the Assembly. He notes that Scot of Cupar and John Carmichael, Simson's correspondents, were prominent among the leaders of the opposition, and he summarises their objections as follows:- "They alleged that the order presentlie observed in this countrie, being agreeable to the wourd, and Christ's institution, and they swore at their admisions to the ministrie to observe the true religion and discipline received in this Church, they could not with safe conscience alter it". The interest of this letter is two-fold - Scot and Carmichael are essentially challenging the power of the Assembly to change the form of Celebration of the Sacrament. The order presently observed meets the criteria of the Reformed Kirk - it is agreeable to the word of God and conforms to Christ's institution - to introduce any other form would be to depart from the religion professed and the discipline practised in the Kirk; but the members of Assembly, who are being asked to take this step are all sworn to maintain "the true religion and discipline received in this Church", therefore they cannot do what the King asks without breaking their vows and therefore, in conscience they ought not to do what is asked".(11) According to the letter their objections were not surprisingly, over-ruled and the Assembly spent the rest of that day and part of the next, discussing arguments for and against making the change. Unfortunately Binning does not report any of the arguments against which were advanced at this stage, but we know that the arguments first advanced against the Assembly taking action, later became widely

Note (11) Spalding Club Miscellany. ii. 161.

accepted as arguments why individuals should not conform to the decision of Perth Assembly.

In addition to official and semi-official correspondence there is a group of what might be called Pastoral letters - letters of counsel mainly from Ministers to colleagues and to friends. The letters of Samuel Rutherford are probably the best known of these, and we take them as representative. Perhaps from considerations of security, perhaps because the contemporary situation was all too well known to both parties to the correspondence, these letters are sadly uninformative in matters of detail. Rutherford is much concerned about salvation, the degeneracy of the times, the need to stand fast in the day of testing, the health of soul of his correspondent or his friends, about "putting the crown again on the head of Christ in Scotland". He seldom condescends to discuss plainly a particular apostasy; or to deal specifically with any aspect of the current ecclesiastical controversy. Of all his published letters only five deal quite definitely with the controversy about kneeling. In 1637 he wrote to his "reverend and dear Brother, Ephraim Melvin, minister at Linlithgow, in answer to a letter which has not been preserved. In that letter Melvin apparently asked a number of questions, including at least some on the Service Book. Rutherford assures Melvin that he is happy to continue their acquaintance, but explains that the demands on his time and the extent of his correspondence makes it impossible for him to answer all the questions, <sup>T</sup>o deal with the Service Book would take a long time, he is already working on it, and will see that Melvin will get a copy of what he writes. But for the moment he will communicate his opinion on one question - kneeling at the reception of the Sacrament.

He does so in Latin, quoting perhaps from memory, or paraphrasing a section of Calderwood's "Altare Damascenum", or quoting a similar passage in some other



unidentified source. The burden of the message is that religious homage done to an image or an element is in itself an external act of idolatry, even if the intention of such homage is direct to God, the Great First Cause; so the act of kneeling to a piece of bread is a relative act of worship and an adoration of the bread itself. As the bread denoted the Body of Christ, kneeling when used as a religious service, is the external adoration of that bread in presence of which we bow as before the delegated representative of God, be our intention what it may. Therefore kneeling to receive the bread is idolatry. (12)

In June of the same year he wrote a letter to much the same effect to Lord Craighall. The circumstances are these - in January he received a letter from His Lordship enclosing one from a certain Mr. L. Mr. L's letter was apparently in defence of the Episcopal Ceremonies and included the sentence "Your Lordship may spare doubtings, when the King and Church have agreed in the settling of such orders; and the Church's direction in things indifferent and circumstantial should be the rule of every private Christian". Craighall asked Rutherford's opinion of the views expressed by L., Rutherford replies immediately that he respects the man's scholarship but "wonders to hear such popish - like expressions", and is not impressed by his defence of conformity, but lays the blame "on the weakness of the cause, not on the meanness of Mr. L's learning". Meantime he is busy on some other employment, but, God willing, he will answer Mr. L., "to the <sup>sat</sup> ~~satisfying~~ of any not prejudiced". In the letter of 6th June he leaves Craighall in no doubt as to his opinions, as the following quotations will show. Early in the letter he writes, "I verily believe that there never was idolatry at Rome, never idolatry condemned in God's Word by the prophets, if religious kneeling before a consecrated creature, standing in room of Christ crucified, in that very

Note (12) Rutherford S. Letters (Bonar's edn.) 193.



act, and that for reverence of the elements (as our Act Cleareth) be not idolatry. Neither will your intention help, which is not of the essence of worship; for then Aaron, saying "Tomorrow shall be a feast for Jehovah", that is for the Golden Calf, should not have been guilty of idolatry: for he intended only to decline the lash of the people's fury, not to honour the calf. Your intention to honour Christ is nothing, seeing that religious kneeling, by God's institution, doth necessarily import religious and divine adoration, suppose that our intention were both dead and sleeping; Otherwise kneeling before the image of God and directing prayer to God were lawful, if our intentions go right. My Lord, I cannot in these bounds dispute, but if Cambridge and Oxford, and the learning of Britain, will answer this argument, and the argument from active scandal, which your Lordship seemeth to stand upon, I will turn a formalist, and call myself an arrant fool (by doing what I have done) in my suffering for this truth. I do much reverence Mr. L's learning, but my Lord, I will answer what he writeth in that, to pervert you from the truths; else repute me, beside a hypocrite, an ass also. I hope ye shall see something upon that subject (if the Lord permit), that no sophistry in Britain shall answer".

After pleading with his Lordship not to be misled, or persuaded out of the way, he says, "The Lord hath enlightened you with the knowledge of His will; and as the Lord liveth, they lead you and others to a communion with great Babel, the mother of fornications. God said of Lot, and continueth to say to some of you "Come out of her, My people, lest ye be partakers of her plagues. Will you then, go with them? and set your lip to the whore's golden cup, and drink of the wine of wrath of God Almighty with them? Oh, poor hungry honour! Oh, cursed pleasure! and oh, damnable ease bought with the loss of God!" Almost his last sentence reads:- "I wish that your Lordship would urge Mr. L. to give his mind in the

ceremonies and be pleased to let me see it as quickly as can be, and it shall be answered".<sup>(13)</sup> As in the former letter his consuming concern is to prove that conformity involves idolatry, to leave his correspondent in no doubt as to the fatal consequence of idolatry, and to make and take every opportunity to unmask this particular idolatry - hence the final challenge to Mr. L.

Two letters remain to be considered - one to his "well-beloved sister" Marion McNaught, the other to his parishioners at Anwoth. Each has its own particular importance for our purpose. An early transcriber assumed that the place of origin of the letter to Marion McNaught was Aberdeen, if so it belonged presumably to the year 1637, and it has been printed among the letters of that period. Though Bonar drew attention in a footnote to the fact that Rutherford excused himself for not having written earlier because "he was heavy at the proceedings of our late Parliament". This could only be the Parliament of 1633 and it would seem probable therefore that the letter was written from Anwoth in that year, rather than from Aberdeen four years later. This amended dating gives the letter the special interest that it provides the earliest record of Rutherford's reflections on Perth Assembly and the Ceremonies. To that there has to be added the interest which springs from the fact that what he is concerned to write about is the effect of the decisions of that Parliament - or rather the fact that they have made no difference to the position he was prepared to defend. "Howbeit it be true that the Acts of Perth Assembly for conformity are established, and the King's power to impose the surplice, and other mass-apparel upon ministers be confirmed, yet what men conclude is not Scripture. Kings have short arms to overturn Christ's throne", and "Long before this Kirk, in the second Psalm, the ends of the earth (Scotland and England) were gifted of the Father to His son,

Note (13) *ibid.* 181.

Christ, and that is an old Act of Parliament decreed by our Lord, and printed four thousand years ago. Their Acts are but yet printing. The first Act shall stand, let all the potentates of the world who love Christ's room better than Himself, rage as they please".<sup>(14)</sup>

=It may be objected that neither these quotations, nor the letter from which they are taken, offers any valid argument against kneeling at the reception of the elements. It cannot however be disputed that they insist on the Kingship of Christ over Scotland and that the Scriptures are our ultimate authority as to His will and law, and that no Act of Parliament, or deed of Royal Interference, can undermine or supersede the authority of Scripture. Nor can the reader be left in doubt that the writer believes that this Act of Perth lacks Scriptural authority, must therefore be judged contrary to the will of Christ, and should be resisted in spite of the decisions in Parliament and whatever the consequences - "still believe and trust in God's Salvation".

The letter to the parishioners of Anwoth is definitely from Aberdeen and written in September 1637. Its great interest derives from the fact that it recalls what Rutherford had, presumably, taught before his banishment, and the counsels which he had given to his congregation at their enforced parting. He reminds them that he had urged that they "should in any sort forbear the receiving of the Lord's Supper but after the form that I delivered it to you, according to the Example of Christ our Lord, that is, that ye should sit as banqueters, at one table with our King, and eat, and drink and divide the elements, one to another". He repeats that "everything in God's worship, not warranted by Christ's Testament and word, was unlawful", and that "worship of God before hallowed creatures, and adoring of Christ by Kneeling before bread and wine" was idolatry and therefore

Note (14) *ibid.* 482.



unlawful.<sup>(15)</sup>

We may summarise the contribution of Rutherford to the controversy as being (a) his insistence on the Kingship of Christ, (b) his assertion that the Scriptures are the only sure guide to His Will; (c) his affirmation that the Word of God has the authority of Law; a greater authority than the civil law - from which affirmation his doctrine of idolatry derives; and (d) his interpretation of the Supper as the Banquet of Christ and his friends, and the proclamation of His redeeming Love.

"Fifteen earls and lords voted for our Kirk" in the Parliament of 1633.<sup>(16)</sup> It was a sore burden on the conscience of the dying John, Viscount Kenmure, that he had not made the sixteenth. He had gone to Edinburgh to attend the Parliament and did in fact attend the early sessions, but disliking the way things were going, yet lacking the courage to come out against conformity, he pled sickness and returned home before it became necessary to take sides and cast his vote. During the fifteen months or thereby, of life which was left to him, he bitterly regretted his "foul fault", and on his death bed said to Bishop Lamb - "that sin that lieth heaviest upon my soul, and hath burdened my conscience most, was withdrawing of myself from the Parliament, and not giving my voice for the truth against those things that they call indifferent for in so doing I have denied the Lord my God".<sup>(17)</sup>

At the last Parliament he had lost his great opportunity to witness a good confession, in what time was left to him he was determined to make what amends he could - so friends and neighbours were summoned to his sickbed to hear his counsel. He urged a friend from the East Country to warn all the noblemen with whom he had influence, against falling into the sin which had overtaken him, and to encourage

Note (15) *ibid.* 522.

(16) ~~*ibid.* 482.~~ Row. 482.

(17) *Select Biographies.* 402.

those who stood out against conformity. He persuaded the Town Clerk of Kirkcudbright to swear "that he should never consent, but to oppose the election of a corrupt (i.e. conforming) minister or magistrate." He urgently exhorted Bishop Lamb "not to molest or remove the Lord's servants, and not to enforce, or enthrall their consciences to receive the Five Articles of Perth, nor to do anything against their consciences". When Lamb replied that the Ceremonies were things indifferent, imposed only to secure decency and order in God's worship and need not be made matters of conscience, he insisted that for him, and for those who thought with him, "these things are indeed matters of conscience, and not indifferent, and so I have found them". Being asked what was his judgement anent the ceremonies now entered in the kirk of God, he answered, "I think, and am persuaded in my conscience, they are superstitious, idolatrous, and anti-christian, and come from hell; and I repute it a mercy that my eyes shall not see the desolation that shall come upon this poor church. It's plain popery that's coming among you. God help you. God forgive the nobility; for they are either key-cold, or ready to welcome popery, whereas they should resist; and woe be to a dead, time serving, and profane ministry; they are but a company of dead dogs.<sup>(18)</sup> No-one of course, will suggest that this is reasoned argument against kneeling. A confirmed non-conformist is giving fervent expression to his feelings - his prejudices if you like - but he does reflect accurately the opinions and the fears of many of his contemporaries who were finally persuaded that kneeling was unscriptural, therefore anti-christian, and contrary to the word of God, therefore idolatrous; that to kneel was to take a long step back toward Rome, and to open the gate wide to all the pre-Reformation superstitious practices. Viscount Kenmure speaks for the non-conformists rank and file, noble and common in Scotland.

Note (18) *ibid.* 397.

Our next witness is John Livingstone, son of a father who, "was all his dayes straight and zealous in the work of the Reformation against Episcopacy and ceremonies"; himself "from infancy bred with aversnes to Episcopacy and ceremonies", and one who made for himself a great reputation as a preacher at Communion Seasons, and as a celebrant according to the old order. As his life drew to its close, he remembered across the years how "the Lord was pleased to take me when I was so young, and keep me on his side for when I was at the Colledge of Glasgow he engaged me in an opposition to kneeling at the communion".

Writing his reminiscences some years previously he describes the incident in greater detail. It was in the year 1619 or 20 when he was a student at Glasgow. Along with some other companions he attended a Communion Service conducted by James Law, the pretended Bishop as he styles him. Law urged all the people to kneel and some did so, but the students continued to sit. "He came to us demanding us to kneel or depart. Somewhat I spoke to him, but doe not perfectly remember what I said. It was to this purpose, that there was no warrant for kneeling, and for want of it we ought not to be excommunicated from the table of the Lord. He caused some of the people about us to rise that we might remove which we did." About a week or two later they communicated with Principal Boyd in Govan. (19)

For our purpose it is greatly to be regretted that Livingstone was not more specific as to the nature of the warrant which was lacking. It may well be that he meant there was no warrant <sup>in</sup> ~~to~~ scripture for kneeling, and in that opinion all non-conformists would agree with him. It may be however that he meant that there was no warrant in the practice of the Church of Scotland, and many would agree that the only order of service which had warrant, in this sense, was the old form

Note (19) *ibid.* 134.



printed with the Psalm Book, and that neither Perth Assembly nor the Parliament of 1621 gave any other form adequate warrant. Before trying to determine which of those two authorities he sought, there is one other quotation which ought to be considered. In the collection of his "sayings and observations" we find this:- "It would seem concerning conformity urged, or any part of it, that embracing thereof is done obeying of human devices in God's worship imposed and urged by these who have no authority from Christ, but rather from anti-Christ; which obediencie, since it is transgressing a negative precept, may in no sort be yielded to".<sup>(20)</sup> The ground of objection here is that the people who seek to impose the ceremonies, and those who urge their observance, have no right to do so because they hold no authority from Christ in or over His Kirk. They lack, and therefore their actions must lack, the only valid warrant in the Church - the authority of Christ. This quotation surely looks beyond Church practice, and even beyond Scripture to Christ and his authority within His Church.

The warrant in which Livingstone is ultimately interested would seem to be Christ's will proclaimed in the Scripture, or revealed in and to His Church, and this he would deny to King or Prelates, to Pretended Assembly or to Parliament.

We will now take a summary glance at the Nine Aporiæ, or Problems of Alexander Lunan.<sup>(21)</sup> Whether any of these problems caused Lunan personally any difficulty seems doubtful, though he does imply that he and his brethren in the Garioch had been troubled and were grateful to John Forbes for his short reply. The important point is that the Aporiæ are a contemporary gathering together and an orderly statement of objections to conformity arranged by a conformist with a view to being officially answered. This means that we may reasonably make two

Note (20) *ibid.* 280.

(21) Forbes. *Irenicum*. ed. Selwyn. 47 ff.

assumptions - (i) The Aporiae provide an authoritative list of current objections; and (ii) that the objections listed were so widely held as to be thought to call urgently for answer.

In the forefront of the objections Lunan places, the, to us, familiar criticism, that kneeling being a gesture of adoration involves idolatry. And his first four problems are in fact concerned with aspects of this question - what you do, and what you intend - and what it imports and how it must be judged.

He then deals in three sections with the objection that kneeling and priestly distribution to the individual communicant destroys the real Eucharist, the sharing has disappeared, the Table could disappear without loss, and the example of Christ and the Apostles has been completely departed from.

~~He~~The next turns to the Conformists defence that the things enjoined are in themselves "indifferent" and in his eighth Problem, states very adequately the threefold argument against imposing change where the matter is "indifferent". Finally he takes up the Objection that no act can be "morally indifferent", every action is either good or evil and discusses the considerations which determine whether it is good or evil - concluding that the ultimate test of goodness is "if it be done according to God's highest Will".

Even such a brief study as we have now made makes it obvious that Lunan has made no attempt to catalogue all the objections to conformity which were being canvassed, he has preferred to draw attention <sup>in</sup> ~~to~~ some detail to what are essentially three broad grounds of criticism of the Perth Articles. From this we may reasonably conclude that ten years after the Perth Assembly "the Problems" which were causing the greatest concern to Conformists, at least in the North East, were (1) the changes of idolatry; (2) the claim that the proposed form of Service had lost all contact with what Christ and the Apostles did in the Upper Room; and



(3) the boomerang effect of their own suggestions that such things as gesture and posture were, in themselves, "indifferent".

From what has already been written it must be obvious that many, whose outlook was very different from that of Alexander Lunan were at one with him in considering that these problems were of the first importance.

We have already drawn attention to Wm. Forbes as one who on theological grounds favoured conformity and have led evidence from his "Considerationes Modestae et Pacificae", but the interest of the man, and the value of his work for our present purpose, justify further consideration at this point.

The work was not published until 1658, so it could be said to be well outwith our period, but the Manuscript was completed between 1631, (Forbes refers to a book on the Eucharist by Thomas Morton published in that year) and 1634, <sup>(22)</sup> in which year the author died; so it may be presumed that it preserves the mature reflections of a man who was involved in the controversies of our period, <sup>Mr</sup> moreover if we are to believe Calderwood, the author was not careful to keep his conclusions to himself - consider for example, "Upon Tuysday, the 29th of Aprile, Mr. Wm. Forbes preaching upon Philip II inveighd against these that wold not communicate with their Ministers that kneeled. He said, ..... that kneeling at the receiving of the Sacramentall Elements hath ever beene received since the days of the Primitive Kirk; that all that teachd the contrarie should be scourged out of all schooles of learning, for ignorance and want of learning". <sup>(23)</sup> The year is 1623. So we may take it that the views set out in the Book were representative of the opinions expressed during his lifetime in sermon, in pastoral letter and in addressed<sup>s</sup> to Diocesan Synods.

Note (22) Forbes: Considerationes 507.

(23) Calderwood vii. 571.



The scope of the "Considerationes" is of course much wider than the Controversy about the Five Articles - dealing as it does with the questions of Justification, Purgatory, the Invocation of Saints, and the Mediatorship of Christ as well as the Eucharist. It was in fact never intended to be a contribution to the controversial literature about the Perth Assembly. It was to be a considered reply to Bellarmine, and what Forbes did was to gather a vast collection of quotations ancient and modern on each aspect of the contemporary controversy in which Bellarmine was the Roman Protagonist and with the minimum comment by himself, to arrange his material to bring out the teaching of the Scripture and the Fathers, as he understood it, to demonstrate the measure of agreement between different branches of the Church, to illustrate fields in which difference of opinion existed in fact and was legitimate and need not be a ground of controversy, and to show that transubstantiation was not of the substance of the Faith, was indeed repugnant to Scripture and the teaching of the Fathers - but that that did not necessarily make it heretical or a ground for schism. (24)

A curious fact about the book is that while Forbes quotes freely from contemporary English writers, not always with approval, not only does he not quote a single Scottish Controversialist, he does not even mention that a controversy over the Eucharist was dividing the Church in Scotland. But we can hardly believe the Bishop of Edinburgh had not at least one eye on what was happening in his own Diocese and elsewhere in Scotland when he wrote "Enormous is the error of the more rigid Protestants who deny that Christ is to be adored in the Eucharist, save with an internal and mental adoration, but not with any outward rite of worship, as by kneeling or some other servile position of the body". He goes on to charge the rigid Protestants, "with few exceptions with having wrong views

Note (24) Forbes: Considerationes 425.

concerning the presence of Christ in the Sacrament. Then with the curious turn of mind which is typical of him, he quotes with approval from Claude Espencee's "De Eucharistiae Adoratione" whether we adore Christ who is most present in the Eucharist, standing or sitting, looking downwards or upwards, erect or upon our knees with outstretched or clasped hands, does not affect the Adoration in itself but rather belongs to times and seasons, and that kind of circumstances". (25)

It may also be assumed surely that he had Scots Presbyterians in mind when he protested "Wrongly do many Protestants object that Romanists are worshippers of bread, and accuse and condemn them for very gross and grievous idolatry, since most Romanists believe that the consecrated bread is no longer bread, but the Body of Christ so they do not adore the bread, but only the Body of Christ, which is truly to be adored." (26)

The importance of the "Considerationes" for our immediate purpose is three-fold. (i) We see as perhaps nowhere else, that the controversy about the Sacrament is not just a reaction against the first of the Five Articles - the Scottish Church is taking part in a European Debate: Naturally some members take one side, some the other, what Forbes calls "the more rigid Protestants" are far from being a purely Scottish phenomenon created by a special situation - rather they are a movement within the Church, represented in Scotland and elsewhere, (ii) The Book makes very plain that the Argument against kneeling is not just the other side of the Argument for sitting - sitting is the modern equivalent for reclining in the Upper Room, in that sense it is scriptural and so the Reformed Church sits; but the Argument for sitting has no interest for Forbes and no place in his book - the Argument for kneeling is all his concern. Kneeling is

Note (25) *ibid.* 545.  
 (26) *ibid.* 549.

the gesture of adoration and accordingly the appropriate gesture in his judgment - but as the passages we have already quoted make plain it is this very fact, on which he and his opponents are agreed, which makes the "rigid Protestants" so determined in their opposition to kneeling - the battle is really about the right mental attitude at the time of receiving, whether this is the moment of intimacy or adoration; with a secondary question, if adoration, what do you adore? or perhaps how do you prevent people adoring the wrong thing - becoming Bread worshippers? The Book is essentially the quest for a Via Media, the author frequently protests against condemning Romanists for certain of their practices, and often expresses his own sympathy with some of their views. The very fact that such a book could be written by a responsible Churchman highlights the background out of which emerged a Protest and a Fear - the Protest against the toleration towards Romanists in the country; and the fear that the present set-up was the preparation for a return to Romanism.

If the Book preserves the views which Forbes expressed in his lifetime as it seems to do, we may reasonably cite him as a witness that these considerations weighed strongly with the "rigid Protestants" in their opposition to the Five Articles.

(c) THE PAMPHLET WAR

Reference to Appendix G will show that evidence has survived of a constant battle being waged through the Printing Press during the whole period of the controversy, and the Appendix makes no claim to be all inclusive.

Led, probably in time, and certainly in out-put, by David Calderwood, the non-conformists surmounted all difficulties of publication and distribution and



in spite of what Dr. Donaldson says these were considerable,<sup>(27)</sup> and made constant use of the Pamphlet to keep the issues in dispute before the widest possible public. Inevitably the Conformists felt the need to reply, and so far as Scottish authors are concerned, this is in practically every case the role they undertake - to defend conformity against attacks already made. The Irenicum of Dr. John Forbes, even in its first part is a more substantial work than the average pamphlet, and might be regarded as a systematic and constructive attempt to build up a doctrine of the Sacrament, but essentially and in its origin, it is an answer to criticism.

The non-conformist pamphleteers saw three tasks lying to their hands:-

- (1) to discredit Perth Assembly, The Five Articles and all the instruments by which their enforcement was attempted.
- (2) to keep in the remembrance of the Nation the true Reformation Standards and traditions of the Scots Kirk, and
- (3) to counter as quickly, and as thoroughly as may be, particular attacks which might be made, and special crises as they arise in the course of the Struggle.

Naturally any or all of the tasks may be attempted in one pamphlet, but it may help us to summarise adequately the message of the Pamphleteers if we bear these three tasks in mind.

Perth was discredited from the beginning and to the very end of the conflict as being "a pretended Assembly" - the grounds of the charge were in part its composition and the manner of appointing its officials, irregularities in the conduct of the business - the overbearing attitude of the Royal Party, the holding

Note (27) Donaldson: Scotland from James V - James VII 215 ff. cf from the preface to "the Course of Conformitie" - "to them all are the presses open and expenses furnished; Printers beyond the seas are troubled upon suspicion of having copies of the other".

of threats over members as they voted and decided, inadequate opportunity for discussion, block voting and as it was said, a vote for or against giving satisfaction to the King. (28)

Similarly the action of the Parliament of 1621 was challenged on what were essentially three constitutional grounds, lacking a Free General Assembly the Kirk lacked the opportunity to make representations to the Parliament, a right which it shared with Councils and other bodies; Parliament had no right to legislate on ecclesiastical matters without consultation with the Church; and certainly had no right to pass enactments in face of the known opposition of a large part of the Church. (29)

The Acts of both Assembly and Parliament were discredited because in form they were commendatory not mandatory, and because they neither specified the crime nor prescribed the penalty. (30)

The Court of High Commission was discredited because it was neither appointed by the Kirk, instructed by the Kirk nor answerable to the Kirk in the discharge of the duties it assumed, yet it presumed to judge Kirkmen in matters ecclesiastical. A Kirk Judiciary independent of the Courts of the Kirk could have no place in a

Note (28) cf. Perth Assembly. "In this Assembly the necessitie of yeelding was inforded under no less pangs than the wrath of Authority, imprisonment, exile, deprivation of Ministers, and other subversion of the estate and order of this Church".

(29) The Course of Conformity. 82. "Lastly because it was never seen that this Parliament confirmed the Acts of any assembly which they knew was called in question, not only by a great number of the special of the ministry, but also by the greatest part of the most zealous professors of the whole body of the kingdom, as is manifest by the practice of Edinburgh seeking the Lord's Supper in thousands without the city."

(30) *ibid.* 79. "In Perth Assembly they are concluded not as lawes binding either to fault or pain, but as adminitions or institutions."

Bresbyterian polity.<sup>(31)</sup>

At each of these points the pamphleteers attacked the Conformists vigorously, but they were not just concerned to establish, as against say the point of view of Lyndesay, Bishop of Brechin, that theirs was the better or the more reasonable point of view. Their concern was to prove that theirs was the true continuing tradition of the Reformed Kirk in Scotland - hence the publication in 1621 of the First and Second Books of Discipline along with a selection of Acts of Assembly and Parliament; timed no doubt with an eye to the meeting of Parliament that year. Hence the emphasis at a later date on the Oaths by which they were bound and the Confession first subscribed in 1580. Hence also the historical recollections in much of their writing, the recall of the Confession, and the insistence on the need to keep faith with their Fathers. By loyalty to their past they sought to establish their claim to be the true reformed Kirk of Scotland against all who would corrupt and disfigure her.<sup>(32)</sup>

The Penners of the Pamphlets, to use Lyndesay's phrase, eagerly joined with their fellow non-conformists to defend the purity, as they saw it, of the Church's worship, and particularly in the celebration of the Sacrament at the Lord's Supper. The test of worthy celebration is, for them, according to Scripture and as near as may be after the manner of Christ and his Apostles; this means sitting to receive and that the elements be distributed and shared

Note (31) The Speech of the Kirk of Scotland to her Beloved Children. 70 & 71. Her Petition to the Nobility and Estates asks them to plead for:-  
"Clause 3. A full deliverance from, and a sufficient defence against all novelties in discipline." & "Clause 6. The happiness to live under his Majesty, and his Highness' ordinary Judges and Rules established by lawes and customes, and that our cause be lawfully cognosed according to order and justice, before any sentence pass against our persons, places and estates."

(32) cf. The Speech of the Kirk of Scotland to her beloved Children 22.  
"Leaving all these I come to complain of the alteration made upon my outward face and government".



among the participants; in the act of receiving the proper emphasis is not on adoration but on fellowship between Christ and the communicants and among the communicants themselves. (33)

They countered the arguments that the matters covered by the Five Articles were in themselves "indifferent" - by, for themselves, denying the claim, but pressing those who accepted it to say why, in matters indifferent, they sought to enforce conformity. In the closing years of the century, when though the Five Articles were no longer significant the battle was still being fought between Episcopacy and Presbytery, Wm. Jamieson, the blind lecturer in History wrote:- "If these things be commended (in Scripture) they err who do not practise them, if they be not there allowed, they err who do practise them; if they be indifferent they err who urge them on others, or on the other hand urge others to leave them". (34)

His forerunners in the 1620's had no doubt that the ceremonies had no authority in Scripture, and so had no doubt that "they err who practise them", but they also agreed that those who professed <sup>to</sup> believe that they were indifferent, put themselves in the wrong immediately they took it upon themselves to urge them on others. G.D. Henderson in his "Claims of the Church of Scotland", writes:- "Most people were concerned however to preserve the forms of worship which they associated with the escape from popery and to which half a century had accustomed

Note (33) Perth Assembly. 37. "We are bound to imitate Christ, and the commendable example of His Apostles, in all things, wherein it is not evident they had special reasons moving them thereto, which do not concern us" also "the eight breach of the Institution made by kneeling "is the altering of the purpose of the Institution, or nature of this Sacrament. It was instituted to be a Supper a Spiritual Feast. Therefore the Guests invited thereto, as you conclude, should not kneel. Guests invited to a Banquet, even to a Prince's Banquet, kneel not in the act of banquetting", and "it is not only the matter, that is, the dainties and food that makes a banquet, but also the ordering of the guests, and kindly entertaining of them".

(34) Henderson., G.D. "The Claims of the Church of Scotland". 93.

them; and there was serious resentment when in 1618 James forced upon the General Assembly at Perth five apparently harmless articles, including kneeling at Communion. Popular fancy imagined that Romanism was on the way to restoration, and puritan opposition began to organise itself. It was not, however till 1637 that the smoke gave place to flame. King Charles had good intentions but little judgement, and his adviser Archbishop Laud "knew not the stomach of the people". The bungled effort, therefore to impose what was more or less the English Book of Common Prayer, (some think, an improved version) was the signal for a most significant outburst of public feeling".<sup>(35)</sup> Undoubtedly the bungling effort was the signal<sup>expected</sup> for twenty years by men who were concerned to preserve the forms of worship which they associated with the escape from Popery, and they had been careful to feed the flame with a long series of pamphlets in which they kept up their many-sided attack on the "five apparently harmless articles", the Assembly at which they were passed and the individuals whom they held responsible for them.

Note (35) *ibid.* 85.

CHAPTER 16.THE HOUSE DIVIDED

Historians of the period under consideration and biographers of its leading Actors<sub>x</sub> make very different assessments of the significance of the Five Articles and the measure of success which attended the attempt to enforce conformity; so much so that one is sometimes tempted to think that their conclusions are not uninfluenced by their own ecclesiastical predilections. W.L. Mathieson concluded that by 1638<sub>x</sub> "The <sup>the</sup> Majority of <sup>m</sup> Ministers had become reconciled, if not positively attached, even to the Perth Articles: and the <sup>m</sup> Minority, which was willing to go the whole way with Laud, is described by a contemporary as not 'inconsiderable either for number or learning'. Episcopacy, in fact, was as dear to this generation of clergy as Presbytery had been to the one before: and the Covenanters were as slow to disclose their design of abolishing ~~it~~, as James had been <sup>to disclose</sup> his of introducing <sup>b</sup> Bishops". (1)

Selwyn regarded the first Episcopate "as fulfilling a very striking function in the public life of its time. It is the keystone of the arch of society, welding together the civil and religious authority. Both Church and State had found that they could not do without it". (2) It came to grief in his judgement, because the intolerable and high-handed action of Charles was directed against a Church already divided on three issues of the first magnitude<sub>x</sub> : (a) the essential character of the Eucharist, (b) the Ultimate Seat of Authority, and (c) the Doctrine of Orders and the Ministry.

Snow when he came to write "The Life and Thought of Patrick Forbes" summed up the First Episcopacy as combining "presbyterial franchise and synodical rights

Note (1) Mathieson: Politics and Religion. i. 401. °

(2) Forbes J. Irenicum Bk. 1 trans. Selwyn.



with episcopal oversight" and expressed the opinion that - given time and tact - this system might well have remained as the chief feature of the Church in Scotland. James VI and Charles however, used it to assert the Royal Prerogative in Church and State\*. And at another point he writes - "That Episcopacy and Presbytery failed to dovetail into one comprehensive system of Church Government was not due to religious differences but to political and economic causes in an age where, unfortunately for the experiment, Bishops were chosen instruments of a Divine Right and Absolutist Monarchy".<sup>(3)</sup> According to him, Royal blundering transformed an insignificant band of schismatics into the champions of a National Cause and gave them a resounding victory over all other parties. And more recently W.R. Foster wrote in an unpublished Thesis - "Between 1610 and 1638 an interesting compromise settlement developed in Scotland. It was primarily a compromise over administrative issues rather than doctrinal ones or even questions of worship. The compromise worked well because it was comprehensive and took account of the claims of the presbyteries, noblemen, tradesmen and the crown as well as those who supported episcopacy. It certainly provided the major precedent for the settlement of 1662, and it remains of interest today to those who are considering similar comprehensive schemes".<sup>(4)</sup>

Assuming that Mathieson even glanced beyond the bounds of the Diocese of Aberdeen it is difficult to understand how he could maintain his theory of a Church content in the oversight of its Episcopal Fathers in God and happy in the practice of those ceremonies forced upon it by James, - as we have already seen much of the evidence goes to prove that during the whole twenty years which separate 1618 from 1638, the Five Articles were a continuing source of irritation

Note (3) Snow. Life and Thought of Patrick Forbes X & 20

(4) Foster. Ecclesiastical Administration in Scotland 1600-1638. 373. unpublished.

in the life of the Church, and the Bishops were widely held responsible for them. If this were not so why Lunan's Aporiae and Forbes' <sup>'s</sup>Irenicum (1629)? Why the Re-examination of the Perth Articles (1636), and the Dispute against the English-Popish Ceremonies (1636)? And how could Brereton <sup>rl</sup>w~~ri~~te (1635) that "when the Sacrament of the Lord's Supper is administered a narrow table is placed in the middle aisle about which the most of the receivers sit, but now the ceremonies of the Church of England are introduced, and conformity is much pressed, and the gesture of kneeling is also much pressed", or that "the discipline of the Church of England is much pressed, and much opposed by many pastors and many of the people"?

In marked contrast with Mathieson, Hume Brown held that at the death of James in 1625 - "the Five Articles were the Law of the Land, but it was a law that received scant obedience and ran counter to the deepest feelings of the majority of Scotsmen for whom religion was the Master concern". And when Charles visited Scotland in 1633 "Among the people there was widespread dissatisfaction at the enforcement of the Five Articles". (5)

In the contemporary records there is ample evidence to support the conclusions of Hume Brown, and evidence which Mathieson would have difficulty in explaining away to prepare the ground for his theories.

It is surely idle, as an historical exercise, to speculate as to what<sub>x</sub> "time and tact" might have made of Bishops in Presbytery, and to lament that they became the chosen instruments of a Divine right and Absolute Monarchy - after all they were created just to be that very thing, their usefulness first to James and then to Charles was in direct proportion to their readiness to uphold the Royal Authority in matters Ecclesiastical, and a principal ground of complaint against

Note (5) Hume Brown: Surveys of Scottish History. 61 & 63.

them by ministers and laymen alike was that they sought the will of the Crown rather than the welfare of the Kirk.

Moreover does it mean anything to say, in an early 17th Century setting, that "both Church and State had found that they could not do without" an Episcopate? The simple fact surely is that the King imposed Bishops on the Church, and insinuated them into the Government of the State, and conferred Judicial~~x~~ powers on them - and all in the pursuit of the Master Plan to establish the Royal Authority. In Church and State alike there were not wanting those who opposed each new extension of their power and influence. It would surely be truer to say that neither Church nor State were allowed to manage their affairs without an Episcopate until the resentment which noblemen felt against Crown Policy and the Bishops as the instruments of it coalesced with the resentment felt by ministers and laymen in the Church, and formed the explosive Mixture which destroyed the First Episcopate.

It is true of course that, in an authoritarian society, the King was able to impose on the Church, in spite of opposition, Bishops in Presbytery and gradually to develop their function, until in 1610 he was able to confer on them the authority of Episcopal Ordination, and to require of them in return that they devote their energies to furthering his policies. It is probable equally true that, though there were always protesters, the Church as a whole accepted and submitted to Bishops in Presbytery, that some became suspicious of Bishops who, by right of their ordination claimed the authority of the Apostolic Succession and more became critical of Bishops who by their activities proclaimed themselves King's men. There can be little doubt that James's insistence on the Five Articles put a severe strain on the Episcopate - it cannot have been easy to keep the confidence of the King and the goodwill of the critical element in the Kirk,



and it must soon have become obvious that the greater the satisfaction they gave to the King, the more vigorous became the opposition of the Kirk.

Robert Blair tells us that in 1615, when he was appointed a regent in the College of Glasgow, he took little interest in the controversy about Church Government, and indeed saw little signs of controversy in the Kirk of Scotland - "for though there were Bishops, yet they took little upon them, and so they were little opposed until Perth Assembly". However Perth Assembly and its aftermath first quickened his interest in the controversy and then formed his convictions about Prelacy. Let him speak for himself - "I then had no doubt, nor ever doubted since" - he is writing in 1663 - "on what side truth stood. Yea, then I perceived that Prelacy itself was the worst of all corrupt ceremonies, and was then fixed in my judgement never to approve their way, it being destructive to the purity of the Gospel". And later he writes - "From that time I studied the controversies about Lord Bishops and their ceremonies and was still more confirmed against them as weighty corruptions".<sup>(6)</sup>

Observations similar to those which influenced Blair, presumably wakened similar thoughts in the minds of others, and kindled the like conviction in their hearts. That this was so, is borne out in the appearance of some of them before the Court of High Commission.

Of all the conclusions quoted in the beginning of this section the most interesting, because the most accurate and the most seminal, is Selwyn's conclusion that the first Episcopate came to grief because by 1638 the Church was sharply divided within itself on three fundamental points - (a) the true significance of the Sacrament, (b) the real seat of authority, and (c) the Doctrine of Orders and the Ministry.

Note (6) Blair: Life. 15.

We may ask - whence came these divisions? There can be no doubt that the answer must be that they are the fruit of the Controversy that was started by the Five Articles. Men began in 1618 arguing as to whether it really mattered how one received the Sacrament - so long as the King was happy. But as the argument continued, men's determination to defend the point of view they had taken up, hardened, they sought new reasons in support of their positions, they studied one another's writings to find flaws in the arguments, and English and other writings to find points of agreement, or disagreement, until gradually they worked out divergent doctrines.

This was not what James intended when he ordered his Scottish subjects to kneel at the reception - but it was the direct outcome of the injunction, and the width of the divergence that existed by 1638 is a measure of the sustained vigour of the debate through twenty years.

#### THE SEAT OF AUTHORITY

We have already<sup>d</sup> considered the debate about the essential character of the Eucharist; we must now look more closely at Selwyn's other Seeds of Division, and first at the problem of the Seat of Authority. One need do no more than dip into the controversial literature surrounding the Five Articles to realise how near to the heart and root of the controversy is the devotion of James to the doctrine of the Divine Right of Kings. This doctrine, as J.N. Figgis argued in his Cambridge Essay on the subject, was forged and fashioned in the 16th Century among nations seeking to throw off their allegiance to the Papacy. The Pope claimed Sovereignty<sup>h</sup> over all nations and within the nation over King and commoner alike, (as by Divine Right) and backed the claim with the power of excommunication - the power which each Pope exercised in his turn was of and from God. That was generally accepted doctrine in Medieval Europe. For

Reformation it was not enough to deny the doctrine and decline the authority of the Pope: if the community was to be preserved from Chaos it was essential that another Authority should be enthroned, clothed with power as absolute and as ultimate as that of the authority which it was designed to oppose. The obvious answer to this problem was to set up against the traditional splendours of the Tiara the national glory of the Crown and, with the support of Reformed Churchmen, to proclaim that the Sovereign derived his Sovereignty from God and was answerable to God for the use made of the powers bestowed. Once formulated the appeal of this doctrine to any aspiring monarch must have been immediate and irresistible, and every successful assertion of a divinely supported authority must have whetted the appetite to rule more absolutely - so it was certainly with James VI and Charles.

Figgis, studying the Doctrine from the point of view of a student of English Constitutional History sees it as an essential factor in the political liberation of the State; for him the makers of Modern England are those who promulgated the Doctrine, the Kings who sought to rule on the assumption that it was true, and those who supported them when it was challenged so that "when the conflict between King and Parliament entered upon its acute stage there grew up a passionate sentiment of loyalty to the Crown which would be satisfied with nothing less than the doctrine of Divine Right in its extremist form".<sup>(7)</sup> In his judgement the great services of the doctrine to England were that it preserved it alike from Romanism and Presbyterianism and for the Monarchy.

However attracted to the Doctrine of the Divine Right of Kings reforming Churchmen in Scotland might have been, circumstances compelled them to look elsewhere than to the throne for the support they needed, to effect the work of

Note (7) Figgis, Divine Right of Kings. 139.



Reformation - Knox and his colleagues could not look for help to Mary or her Regent; to whom could they look? With remarkably little hesitation they hammered out their own answer - to the will of the People expressed through properly constituted authority in Church and State. It took time and experiment to work out in detail the Presbyterian form of Church Government; but in a minimum of time, and with a maximum of agreement, Churchmen and Statesmen had reached the Conception of the Nation with a two-fold Organisation - political and religious, each controlled by the will of the people constitutionally expressed, and each with a duty to support the other in the discharge of its proper function in the common life.

In this connection three quotations should be borne in mind and held in conjunction.

Knox, in his letter to the Lords from Dieppe, wrote "I would your wisdomes should consider that our God remaineth one, and is immutable; and that the Church of Jesus Christ hath the same promise of protection and defence that Israel had of multiplication; and further that no less cause have ye to enter in your former enterprise, than Moses had to go to the presence of Pharaoh.... Advise diligently, I beseech you, with the points of that letter, which I directed to the whole Nobility, and let everyman apply the matter and case to himself; for your conscience shall one day be compelled to acknowledge that the reformation of religion, and of public enormities, doth appertain to more than to the clergy, or chief rulers called Kings".<sup>(8)</sup>

Three years later when the Six Johns were drafting the Confession of Faith they wrote into Chapter XXIV - Of the Civil Magistrate - these sentences: "We Confess and acknowledge empires, kingdoms, dominions, and cities to be distincted

Note (8) Knox: Hist. (Croft Dickenson's edn.) ~~133~~ i. 135

and ordained by God: the powers and authorities in the same to be God's holy ordinance, ordained for manifestation of his own glory, and for the singular profit and commodity of mankind. So that whosoever goes about to take away or to confound the whole state of civil policies, now long established we affirm the same men not only to be enemies to mankind, but also wickedly to fight against God's expressed will. We further confess and acknowledge that such persons as are placed in authority are to be loved, honoured, feared, and held in most reverent estimation; because that they are the lieutenants of God, in whose session God himself doth sit and judge, to whom by God is given the sword, to the praise and defence of good men, and to revenge and punish all open malefactors. Moreover, to Kings, Princes, Rulers, and Magistrates, we affirm that chiefly and most principally the conservation and purgation of the Religion appertains; so that not only they are appointed for civil policy, but also for maintenance of the true Religion, and for suppressing of idolatry and superstition whatsoever, as in David, Jehosophat, Hezekiah, Josiah and others, highly commended for their zeal in that case, may be espied. And therefore we confess and avow, that such as resist the supreme power do resist God's ordinance, and therefore cannot be guiltless. And further, we affirm, that whosoever deny unto them their aid, counsel, and comfort, while the Princes and Rulers vigilantly travail in the executing of their office, that the same men deny their help, support, and counsel to God, who by the presence of his Lieutenant craveth it of them.<sup>(9)</sup>

Later still the "godly Ministers" submitted their draft Book of Discipline - "To the Great Council of Scotland now admitted to Regiment, by the providence of God, and by the common consent of the Estates thereof", in doing so "Most humbly requiring your Honours that, as ye look for participation with Christ

Note (9) *ibid.* ii. 271.



Jesus, that neither ye admit anything which God's plain word shall not approve, neither yet that ye shall reject such ordinances as equity justice and God's word do specify. For as we will not bind your Wisdoms to our judgements, further than we be able to prove the same by God's plain Scriptures so much we most humbly crave of you, even as ye will answer in God's presence that ye will repudiate nothing, for pleasure nor affection of men, which ye be not able to improve by God's Written and revealed Word. (10)

These quotations, taken along with the action of the Council, surely establish that, thus early, there was mutual agreement that Church and Magistrate should support one another; that to both belonged the responsibility for the reformation of religion and its maintenance in purity; and that the only standard by which the magistrate may competently criticise, or correct the Church is "God's written and revealed Word". In this Scottish set-up the Crown had a very definite place, there was a respect due to the Lord's Anointed, but it was a limited not an absolute monarchy, a power to which constituted authority could look for support, not a power from which it was to take direction, and a focal point for the Loyalty of a <sup>law-abiding</sup> ~~law-abiding~~ State and a law-abiding Church.

It is highly significant in this connection that while James was the author and instigator of the Five Articles (as of each of the other departures from Presbyterian Government and Practice) and while the theory of the Royal Prerogative was a chief instrument in persuading the Church to their acceptance one can read whole pamphlets against the Articles without finding one direct criticism of the King.

The Scottish Reformed Doctrine of Sovereignty in Church and State was of course wholly unacceptable to James VI, and if possible, became increasingly

Note (10) *ibid.* ii. 280 & 81.



so as the years passed. For appearances sake he was prepared to rule in the Church "with advice of a competent number of clergy" - but only if the clergy were amenable to his will - and he could hardly have made a more blunt claim to the overruling authority than he did in his letter to the Perth Assembly, - in which he writes "You plead much we perceive to have matters done by consent of the ministers, and tell us often, that, what concerns the Church in general should be concluded by the advice of the whole, neither do we altogether dislike your purpose: for the greater consent there is amongst yourselves, the greater is our contentment. But we will not have you to think, that matter proponed by us of that nature whereof these Articles are, may not without such general consent be enjoined by our authority: this were a mis-knowing of your places, and withal a disclaiming of that innate power which we have by our calling from God by the which, we have place to dispose of things external in the Church, as we shall think them to be convenient, and profitable for advancing true religion among our subjects. Therefore let it be your care by all manner of wise and discreet persuasions to induce them to an obedient yielding unto these things, as in duty both to God and to us they are bound: and do not think that we will be satisfied with refuses, or delays, or mitigations; and we know not what other shifts have been proponed; for we will content ourselves with nothing but with a simple and direct acceptation of these Articles in the form by us sent unto you now a long time passed; considering both the lawfulness and undeniable convenience of them for the better furthering of piety and religion amongst you".<sup>(11)</sup>

And later he writes "We wish we be not further provoked, and God's truth which you profess of obedience unto principalities and powers be no longer

Note (11) Lindesay. True Narration 50.

neglected and slandered by such as under the cloak of seeming holiness walk unruly amongst you, shaking hands as it were and joining in this their disobedience unto Majesty with the upholders of Popery. Wherefor our hearty desire, is, that at this time, you make the world see by your proceedings what a dutiful respect and obedience you owe to us your sovereign Prince and natural King and Lord; that as we in love and care are never wanting unto you, so you in humble submission unto our so just demands be not found inferior to others our subjects in any of our Kingdoms".<sup>(12)</sup>

So in Scotland from earliest days of Reformation, King and Churchmen were divided on this point which in England formed a strong bond between them. The passage of time had not only hardened the temper of the King; it had also brought division into the Church. <sup>T</sup>There were those like James Carmichael, Wm. Scott and the young Alexander Henderson who held firmly to the faith of the Reformation Fathers. <sup>T</sup>There were those who disliked both the King's policy and his manner of enforcing it, but feared his power; among those we must presumably include Spottiswoode who assured the Assembly "In the presence of Almighty God and of this honoured Assembly I solemnly protest that without my knowledge, against my desire, and when I least expected, these Articles were sent unto me, not to be proponed to the Church, but to be inserted amongst the Canons thereof, which then were in gathering; touching which point I humbly excused myself, that I could not insert amongst the Canons - that which was not first advised with the Church and desired they might be referred to another consideration ..... so as I <sup>sa</sup>ke before, I would, if it had been in my power most willingly have declined the receiving of these Articles. Not, that I did esteem them either unlawful or inconvenient, for I am so far persuaded of the contrary as I can be of anything

Note (12) ibid. 52.



but I foresaw the contradiction which would be made and the business we should fall into. Therefor let no man deceive himself these things proceed from His Majesty, and are his own motions, not anye others."<sup>(13)</sup>

And there were yet others who, for one reason or another approved both the King's actions and his claims: it would probably be not unfair to number among these Lyndesay, Bishop of Brechin, who took upon himself the defence both of the Perth Assembly and of the Article requiring kneeling in receiving the Sacrament and who, in their defence, was prepared to approve everything that the King, the Assembly or his fellow Bishops did: and who reported the Dean of Winchester flattering the King and scolding the Church, "to the contentment of all good and wise men".<sup>(14)</sup>

At Perth the second and third groups combined to give the King, in theory at least, his own way; but so far from settling the dispute about the real seat of authority they brought it into the forefront of men's minds and made it a major issue in a debate which was destined to range over a much wider field than the Five Articles and the conduct of the Perth Assembly. Bishops were appointed in the Scottish Church to be instruments whereby the Royal Will was made effective in the Church - the Royal Will being expressed in the Five Articles. By various blunders from his own point of view, James conferred on them Episcopal Ordination, thereby setting them in the Apostolic Succession, and agreed that future appointments should be by election in Chapter. In the early days Bishops who held of the Crown might be content to accept the authority of the Crown - but every time the Crown insisted on a course which the Bishops knew was unwise, unorthodox, or unacceptable to their subjects their position became more difficult, and so the attitude of the Bench changed and the views of Maxwell were far removed

Note (13) *ibid.* 40 & 41.  
(14) *ibid.* 60.



from these of, say Patrick Forbes, who was essentially a Royalist.

So the controversy over the Five Articles - convinced first James and then Charles, of the necessity of ruling in Church as well as in the State as by Divine Right - the only safe repository of Authority was in the Crown<sup>x</sup>. At the same time it convinced the Bishops that the only proper seat of Authority was in the Episcopate, the King after all did not stand in the Apostolic Succession, and the last two <sup>kings</sup> had made some very obvious blunders<sup>x</sup>. And it confirmed the Presbyterians in their conviction that authority must rest in the General Assembly, every year gave fresh evidence of the dangers inherent in a usurped authority, whether the Usurper was the King or Bishop - the face of the once "Fairest reformed Church in Christendom" was already sadly marred.

#### ORDERS AND THE MINISTRY

The third seed of division - the doctrine of Orders and the Ministry - was very definitely the fruit of a plant which James had carefully propagated in face of opposition. But for the conflict between him and the Church over his claim to absolute authority there is no reason to suppose that differences of opinion among the ministers would have grown and developed to the point where they influenced policy, if indeed they had ever become vocal.

On this matter the Scottish Church took its stand firmly beside the Reformed Churches of the Continent - the Ministry was one and all Ministers equal in rank and in authority, the essential element, common to all ministers, was the attachment of the Individual Minister to a particular congregation: as an temporary expedient, an emergency situation such as faced them while there were <sup>not</sup> enough ministers to cover the ground, one minister might be appointed by the Church, acting through its Courts, to superintend an area much wider than

his parish - but this was to be understood as an extra burden undertaken on a temporary basis at the call of the Church: and his superintendence was never meant to supersede or detract from the supervision of the Parish by the Kirk Session, or Parishes by Presbyteries, and Presbyteries by Synods, or to set limits to the ultimate authority of the General Assembly.<sup>(15)</sup>

The compilers of the Second Book of Discipline summed up the accepted doctrine of the Ministry in statements such as these:- "Pastors, Bishops, or Ministers are they who are appointed to particular Congregations, which they rule by the Word of God, and over which they watch. In respect whereof sometime they are called Pastors, because they feed their Congregations: sometime Episcopi, or Bishops, because they watch above their flock; sometimes Ministers, by reason of their Service, and office, and sometimes also Presbyters, or Seniors, for the gravity in manners which they ought to have in taking care of the Spiritual government, which ought to be most dear to them".<sup>(16)</sup>

Later they say of the title 'Bishop' - "It is not a name of superiority or Lordship, but of office and watching".<sup>(17)</sup> They agree that "Ministers may and should assist their Princes when they are required, in all things agreeable to the Word, whether it be in Councill or Parliament, or otherwyes, providing alwayes they neither neglect their own Charge, or hurt the publick estate of the Kirk".<sup>(18)</sup> But they insist that "No person ought to attempt any act in

Note (15) The First and Second Books of Discipline etc. New Coll. Shelf Mark Bb227. For evidence see the relevant sections of the First Book of Discipline and Calderwood's notes on early Acts of Assembly: it is significant that the section of the Book of Discipline entitled "The Head of the Superintendents", begins:- "Because we have appointed a larger stipend to them that shall be superintendents than to the rest of the Ministers, we have thought good to signifie to your Honours such reasons as moved us to make difference betwixt Preachers at this time". p. 35.

(16) *ibid.* 76.

(17) *ibid.* 86.

(18) *ibid.* 87.



the Kirk's Name, either in Councell, or Parliament, or out of Councell, having no Commission of the Reformed Kirk within this realme".<sup>(19)</sup>

In 1621 David Lyndesay was prepared to commit himself to the proposition that "the forme of government meet for a Parochiall or Diocesan Church, such as Geneva or Berne, is not fit in all respects for the universall or for a Nationall Church".<sup>(20)</sup> He did not condescend to particularise as to the respects in which he found it unsatisfactory, but one of these presumably was the lack of Bishops, nor does he inform his readers as to the road which led him to this conclusion. Had the Scottish Church been allowed to conduct her affairs according to the policy of the Second Book of Discipline, without Royal interference, it is hardly conceivable that a significant company of her Ministers would have been so attracted by what they saw when they looked across the Border that they would have expressed the desire to substitute Canterbury for Geneva. It seems much more likely that Lyndesay and his colleagues became aware of the inadequacies of Geneva after they became personally involved in the Royal Policy of imposing Episcopacy upon the Scottish Church.

Even those who were able whole-heartedly to subscribe to the doctrine of the Divine Right of Kings must have been conscious that the personal preference or a whim, of the reigning Monarch furnished a somewhat inadequate reason for changing the policy of the Church established in 1592: any proposed changes would gain immensely in respectability if it could be represented either that the Royal Wisdom had discovered flaws in the present policy which called for correction, or that he urged change in order to lead the Church into a deeper, stronger, yet equally pure stream of the life of the Church Universal - best of

Note (19) *ibid.* 87.

(20) Lyndesay: *supra* 6.



all if men could be persuaded that at one stroke he was accomplishing both reforms. Certainly this defence of the imposition of Bishops on the Scottish Church underlies and colours much of Lyndesay's writing, and underlay many of the other controversial utterances.

Actually James imposed Bishops on the Scottish Church for reasons which had nothing to do with any doctrines of the Ministry but sprang directly from his dislike for and distrust of the General Assembly. He was not concerned with questions of ordination or orders, or clerical organisation as such; he was concerned in securing a Church which was submissive to his royal will; he met the strongest opposition to his absolutist claims among Presbyterian Ministers met in the General Assembly - therefore he must draw the Assembly's teeth - the best way to do that, as he saw it, was to create a small group of men to whom he would give power in order that he might ask from them obedience - to this end he persuaded the General Assembly held in Dundee in May 1597 to appoint clerical commissioners to advise him in ecclesiastical affairs, and three years later he conferred on them the right to sit in Parliament as the representatives of the Kirk. Six months later he conferred on three of the commissioners the title of Bishop and by 1604 was in a strong enough position to nominate Gladstones of St. Andrews and Spottiswoode as Archbishop of Glasgow. James had not created an Episcopal Church, in any accepted sense, certainly he had not persuaded the Kirk of Scotland to abandon its Presbyterian Policy in favour of an Episcopal Policy, but he had created a significant Episcopal Party in the Church, that from his point of view, was real and for the moment sufficient progress.

In respect of Orders the Bishop of 1604 and indeed until 1610, was no different from his brother minister, he had received the same training, the

same ordination, had taken the same vows, and the same place in the Courts of the Church, until the Royal Favour lighted on him: everything that differentiated him from his fellow minister and everything that differed in his lot, flowed from and depended on the Royal Favour, and even as late as 1621 James could threaten his Scottish Bishops that if they did not carry out the Royal Will he could and would replace them.

There is ample evidence that James found among his early Bishops men naturally sympathetic toward his aims, or quickly converted them to his point of view so that practically from the beginning they were prepared to scheme with him for the overthrow of Presbyterianism. By 1610 he and they were sufficiently sure of themselves to make the great change. Three of the Bishops went to London to receive consecration at the hands of Anglican Bishops and returned to convey the Grace of Apostolic Succession to their colleagues - from that day there was of course a distinction and a difference within the Ministry, and for those who accepted the validity of the consecration, a new doctrine of Orders within the Scottish Church. The question which remained to be tested was whether the Kirk would accept the fait accompli. To secure a satisfactory answer a packed Assembly was convened at Glasgow, <sup>CC</sup> The Earl of Dunbar, my Lord President being the King's Commissioner, and was persuaded to pass Acts establishing the Royal Supremacy in matters ecclesiastical and the Episcopal Polity which was to uphold it. As a sop to those who might be disaffected provision was made for the annual meeting of the General Assembly, but the right to summon it was vested in the Crown, all its actions were to require the Royal assent for their validity, and every minister was bound on oath to recognise the Royal Supremacy. Bishops were to preside over Synods, now called Dioceses, they were to exercise the power of excommunication, to receive and judge presentations to benefices, to ordain or



depose ministers and to visit and maintain discipline throughout the Diocese.<sup>(21)</sup> So, in 1610, as Mackinnon says, the powers of both Presbyteries and synods were concentrated in the persons of the Bishops and "at a stroke of the pen the government of the Kirk was changed from a democracy into an aristocracy, under the supreme direction of the King". In 1612 Parliament, "added the epilogue to this chapter of intrigue and coercion by ratifying the Articles of the Glasgow Assembly with modifications tending to increase the Episcopal Power and annulling the Act of 1592 and all others contrary to these".<sup>(22)</sup> Church and State had accepted the fait accompli - but in each there was a dissident minority, strong, vocal and vigorous.

A century later the Glasgow Assembly would almost certainly have been followed by a Secession and Scotland would have been presented with an Episcopal Church enjoying Royal Patronage, and a Presbyterian Church claiming to be the true child of the Reformers.

To our 17th Century minority secession offered no solution, <sup>T</sup>he task as they saw it was to fight to restore the fair face of the Reformed Kirk of Scotland, so Episcopalians and Presbyterians continued in membership, and within the ministry of the one Kirk of Scotland: the Glasgow Assembly was followed by eight years of manoeuvring and twenty years of fighting which culminated in the National Covenant and the Glasgow Assembly of 1638. Close to the heart of this debate is the controversy - Presbytery versus Episcopacy; Calderwood and his party favouring Presbytery as being in the purest stream of Reformation, the strongest safeguard against papacy, and the polity by law established in Scotland: and resisting the introduction of Prelacy as an abuse in itself, opening the door for the <sup>introduction</sup> ~~instruction~~ of other abuses and tending toward Romanism by way of the Halfway House of Anglicanism.

Note (21) Calderwood vii 99-103.

(22) Mackinnon: History of Modern Liberty. iii. 214.



Lyndesay and the party on whose behalf he wrote, argued that Episcopacy was in accordance with Scripture, the tradition of the Universal Kirk and the largest part of the Protestant Church and no way tainted with Romanism, and that it <sup>e</sup>commanded itself to the wisdom of the Godly Prince to whom belonged the judgement in these matters; ~~and~~ <sup>that</sup> Presbytery had proved itself unsatisfactory in its working in Scotland, had been abused by the dissident and disaffected and so had become obnoxious to the King. // <sup>N.P.</sup> Along side the debate as to what should be the Church's doctrine of the Ministry there was another as to what <sup>was</sup> ~~use~~ her doctrine, Calderwood and company arguing in effect that the Confession, the Second Book of Discipline and the Act of 1592 were still effective while Lyndesay and his companions argued that they had been superseded by the Acts of the Glasgow Assembly and the Parliament of 1612. This brought an element of unreality into the debate - Spottiswoode preaching before the Assembly could quote with approval S. Hieromo - "The Church thought fit, that, seeing Baptism is given by Presbyter, lest children should be ignorant of the Spiritual Superiority of Bishops over them, they should attend the receiving of Confirmation by their hands, so this was done for the honour of Prelacy, as he speaks". This, of course, was no answer, but rather an <sup>ag</sup>gravation of the offence to men who refused to recognise "the spiritual superiority of Bishops".

So Lyndesay does not answer Calderwood's objection to the fact that the Commissioners of Perth were not allowed to elect their Moderator, when he writes - "In this as in all the rest almost of their exceptions against the Assembly there is a false rule laid, whereby to try the lawfulness thereof: to wit, the Acts and Customs of the Church of Scotland under Presbyterial Government, which must not rule us now, seeing the true forme of Church government now restored is much different from the estate of these times. It is true that when the

Church was governed by a paritie of Ministers, they choosed a Moderator by suffrage, though without any warrant or example, eyther out of Scripture or Antiquitie, but being compelled thereto of necessitie in regard to that forme of government wherein no man had any ordinarie prerogative above or before others; but now the forme of government being altered and each man knowing his own roome and station, we are not tyed to observe that customs, but ought rather to follow the Constitutions and practice of the Primitive Church, which was ruled by the same forme of Episcopall Government that now is established in this Land".<sup>(23)</sup> He simply denies the premise and sets up an alternative doctrine.

Similarly when the 'Penner of the Pamphlets' complains that persons voted without any commission, contrary to the practice of "free and lawful assemblies", he replies - "The Libeller thinks that because it was the custom while the Presbyterial Government stood in force, that all Commissioners, at least of the Ministry should be chosen by the several Presbyteries, it should now be so. But he must remember that sort of government is changed, and now they must have place in Assemblies, that are authorised by their callings to sit there: as well as by their Commissions."

<sup>(24)</sup> Thereby begging the real question and justifying the conduct of the Assembly by assuming the validity of the set-up which it was Calderwood's whole purpose to challenge.

We have noted a tendency among recent scholars to suggest that, But for political and economic considerations - a happy marriage might have been affected between Presbyterian Franchise and Episcopal Oversight and that the period 1617 - 38 plots a path which might profitably be explored in modern times. I think it may be said without fear of contradiction that no protagonist on either side

Note (23) Lyndesay supra 77.

(24) *ibid.* 92.

desired such an outcome of the struggle. Once the two parties existed in effective strength, each was bent on the destruction of the other. Presbytery and Episcopacy might be compelled to co-habit within one church, they could not be compelled to dwell together in harmony - and they did not attempt to do so. The pressure exerted against Presbyterians might be relaxed or increased from time to time, some Bishops might be more accommodating than others, but Lyndesay, as we have seen, roundly asserted that Presbyterianism as a system had ceased to exist, and after 1621, Patrick Forbes preached the duty of stamping out Presbyterianism - while the Presbyterians on their part would not be satisfied with anything less than the abolition of Bishops and all their works.

If 1618 - 38 has anything to teach us it surely is that a Church divided over its doctrine of the Ministry and Orders cannot stand - that what was once an argument over whether Moderators should hold office on a permanent basis within a Presbyterian Church developed into a war between Presbytery and Episcopacy in which the battle might favour one side or the other from time to time - but a war which could only end in the victory of one over the other - or in the separation of the parties. 1618 and all that followed from it split the Church even more deeply over the Doctrine of Orders and the Ministry.



CHAPTER 17.CHURCH AND STATE

In addition to the seeds of division which we have just examined, the controversy raised large questions about the relation between the Church and Parliament: between Church and the Civil Courts, and the place of Churchmen in them; and about the force of oaths. Before concluding we must consider each of these, but in doing so it is well to remember that we may, as a matter of convenience, isolate one from the other; to the contemporary critic that was quite impossible, they were inextricably woven together in such a way that setting out to follow one thread, he inevitably found that it led him to pick up another. Calderwood well illustrates the complexity of the material in the Letter to the Reader with which he prefaces his Perth Assembly. He writes:-

"When vote in Parliament (the needle to draw in the threads of Episcopall authoritie) was concluded, to the great grieve of the sincerer sort, many protestations were made, that no alteration in discipline, or divine service was intended: many cautions and limitations were made to bound the power of the minister voter in Parliament. They were ordayned to be countable to the generall Assemblies, for the manner of their entrie and behaviour in this new office: but like bankrupts, not being able to render accompt, they laboured that no accompt should be made at all: that is, that there should be no ordinary generall assemblie to take accompt. Some few extraordinary Assemblies have been convocated of late yeares at their pleasures, for their purposes, and according to their device, constituted as they thought good: wherein they procured, or rather extorted with terror and authoritie, a sort of preheminance above their brethren. They were Dords in Parliament, Councell, Session, Checker, Lords of

Regalities, Lords of temporall Lands, Presenters to benefices, modifiers of ministers stipends, grand Commissioners in high Commission. Was it wonder then if so great Commanders commanded the Assemblies constituted, as is said, and carved to themselves a spirituall Lordship, when their worthy brethren were banished, imprisoned, confined, or deteyned at Court, that they might the more easily effectuate their purpose. They haue broken the caveats made with their owne consent, violated their promises, and haue sought preheminance both in Church and Commonwealth, with the ruine of others, and the renting of their mother's belly."<sup>(1)</sup>

Here one thought has naturally led on to others until in half a dozen sentences he has summarised the situation as he sees it; and in so doing he has touched on all our problems. For the better understanding of the criticisms we must now attempt to look at the problems in isolation.

#### The Church and Parliament

There was general agreement that changes in the Constitution or practice of the Church required Parliamentary Sanction, this was a fundamental of the Reformation Settlement and a principle to which Presbyteries looked for support. The one Dissenter was the Sovereign who claimed the right to dictate changes in constitution and practice in the exercise of the Royal Prerogative and who so engineered matters that the Parliament of 1612 conceded the right though the Presbyterian Party declined to recognise it.

What was not so clearly determined was the relation between Parliament and the General Assembly, where the right to initiate changes lay, and what safeguards or limitations hedged Parliamentary sanction. James profoundly distrusted all

Note (1) Calderwood: Perth Assembly To the Reader. line 19 ff.

General Assemblies and realised the advantage of being able to buttress the Royal Prerogative with Parliamentary approval, so he attempted to remove all doubts by restoring the Third Estate in the persons of the Bishops. In this way the voice of the Church would be heard in Parliament, there would be no need for other consultation, and he could be reasonably confident that it would be a voice favourable to his projects. This x from his point of view was the ideal relationship between Church and Parliament and it was the ideal which Charles inherited and sought to develop. It has to be borne in mind that the power of Parliament really rested in the Articles, and the method of electing them was determined so as to give the Third Estate, presumably all King's men, the dominant influence - the Bishops first elected eight peers, these then elected eight Bishops, and together they elected the Shire and Burgh Representatives. So the King had every chance of influencing both Articles and Parliament at least on ecclesiastical questions. Naturally this solution was wholly unacceptable to the Presbyterians who distrusted ecclesiastics, whether representative or not, speaking for the Church in Parliament, and sought a working partnership between Parliament and General Assembly.

When Parliament was summoned it was customary to issue at the same time a Proclamation \*commanding all that had suits, articles or petitions to propose to the Parliament to give them in to be considered and put in order by a Commission appointed for that purpose. One of the great criticisms of the Parliament was that, lacking a meeting of the General Assembly the Ministers were in effect denied the liberty of sending Commissioners with articles to the estates convened in Parliament.<sup>(2)</sup> A second was that since the Reformation it had been customary for each Parliament to ratify the liberties of the Kirk, the

Note (2) Calderwood vii 458 & 460



the liberty of Assembly and discipline, and the liberty of trial and punishment of the adversaries of true religion, but now, when the necessity was never greater, Parliament rose without any mention of their ratification.<sup>(3)</sup> While a third objection was that, against all precedent, Parliament had passed Acts affecting the life of the Church of Scotland in face of known and substantial opposition. "It was never seen, that this Parliament confirmed the Acts of any Assembly, which they knew was called in question, not only by a great number of the special of the ministerie, but also by the greatest part of the most zealous professors of the whole bodie of the kingdome; as is manifest by the practice of Edinburgh, seeking the Lord's Supper in thousands without the city".<sup>(4)</sup>

These references provide a reasonably clear picture of the relationship as understood by the Reformed Church. To the Assembly, and to the Assembly alone, belonged the right to legislate for the Church, and the right to speak on behalf of the Church. It was the duty of Parliament to defend the Church in the exercise of her rights and liberties, it was also her duty to receive representations from the General Assembly on matters affecting the Kirk, to give due weight to the opinions of the Kirk, as expressed in General Assembly, and to give the support of Civil sanction to the discussions of the Assembly.

It would be difficult to conceive two views more difficult to reconcile than that of the King and that of the Presbyterian Churchman: they never were reconciled: and, throughout the whole conflict, each was fighting for his own point of view. Only the absence of meetings of the General Assembly and the rarity of meetings of Parliament limited the fighting in this part of the field.

It is worth noting however that, such was the faith of the Presbyterian in

Note (3) *ibid.* 504.

(4) *Scot. Apologetical Narration* 291.

Parliamentary Democracy, as he understood it, that in spite of the fact that the Parliament of 1612 established Episcopacy and the Royal Prerogative, that that of 1621 ratified the Articles of Perth, and that of 1633 confirmed all the Acts anent the Church of the previous reign, and reaffirmed the Royal Prerogative in extended form, he still sought for the Church the support of a free Parliament. In 1638, and again in 1639, the demand was for a General Assembly, followed by a free Parliament, which might ratify the Acts passed at the Assembly. (5)

For most Scots at this time the only guarantee of National Security was a partnership between Church and State which expressed itself in and through mutual support on the part of Parliament and General Assembly.

#### THE CHURCH AND THE CIVIL COURTS

In Post-Reformation Scotland it was generally agreed that offences might fall into one or the other of two categories - they might be offences against the Law, punishable in and by the Civil Courts, or they might be offences against the discipline of the Church, when trial and punishment belonged properly to the Church.

The Reformed Church had its own code, its own Courts, and its own ecclesiastically appointed Officers through whom to exercise ecclesiastical jurisdiction. There were cases - strictly limited in number and type - where

Note (5) Rothes: Relation 160 "The Barrons Commissioners of Shires, being let to consider upon the supplication (James 1638) directed ~~Deliv~~ to the Noblemen with some peremptory motions. 2. That assurance should be gotten of the indissolubility of a Generall Assembly and Parliament before it was delivered".

Laing: 1 160 The Pacification of Berwick (1639) was achieved when Charles agreed to make a Royal Declaration that "although the late pretended assembly could never be acknowledged, ecclesiastical matters should be referred to the decision of another assembly and civil affairs to a Parliament summoned to confirm its acts".

the process might properly begin in the ecclesiastical court and after a finding of guilt had been arrived at, might be transferred to the Civil Magistrate for sentence. The accepted principle, however, was that ecclesiastical offences should be tried in Ecclesiastic Courts and it was laid down in the Second Book of Discipline that "No other ecclesiastical jurisdiction should be acknowledged within this Realm, but that which is, and shall be in the Reformed Kirk, and flowing therefrom."<sup>(6)</sup>

This was a fundamental objection to the Court of High Commission - it was not appointed by the Kirk, had no warrant from the Kirk, and was not answerable to the Courts of the Kirk, yet it presumed to try actions which, if they were offences at all, were ecclesiastical offences. It was on this ground that men summoned before it, declined its jurisdiction so far as the alleged offences were ecclesiastical, while they were prepared to accept it in so far as it was civil, recognising that their ministry gave them no privileges over against the civil law, and no exemption from the jurisdiction of the Civil Courts.<sup>(7)</sup>

There was however a second objection to the Court of High Commission and that was based upon the fact that Bishops were among its members, and indeed provided its most active members from the beginning.

Ministers could, indeed must sit on Church Courts, but membership of the Court of High Commission was different in two ways. The Members were appointed by the Crown and were answerable to the Crown not to the Church; and moreover the Court to which they were appointed was not an ecclesiastical Court, but a criminal one, and the Second Book of Discipline had laid it down that "Criminal Jurisdiction in the person of a Pastor is a corruption".<sup>(8)</sup>

Note (6) Second Books of Discipline 87.

(7) Calderwood vii 537.

(8) Second Book of Discipline 86.



Whatever might be said in defence of the Court, from the Presbyterian point of view nothing could be said in defence of Ministers sitting in it as judges.<sup>(9)</sup> The fact that the ministers were Bishops was one more argument against Prelacy.

When he set up the Court of High Commission James introduced a new element into the quarrel between himself and the Presbyterians by giving churchmen place in the judiciary as well as in the legislature; Charles exacerbated the quarrel when he extended the principle by appointing Bishops to the Privy Council and, in January 1635, appointing Spottiswoode to be Chancellor in succession to the Earl of Kinnoul.<sup>(10)</sup> Once again the Royal ~~and~~<sup>with</sup> the Presbyterian positions were diametrically opposed, ~~and~~ no hope of accommodation or compromise, so the King appointed and the Presbyterians inveighed against the appointments.

But the tide turned and in 1638 the Assembly "most unanimously in one voice, with the hesitation of two allenerly, declared that it is both inexpedient and unlawful in this kirk for pastors separate unto the Gospel to breck civil places and offices as to be Justices of the Peace, sit and decerne in Councell, Session or Exchequer, to ryde or vote in Parliament, to be judges or assessors in any civil judicatorie."<sup>(11)</sup> - a disability which still attaches to Ministers of the Church of Scotland.

#### THE OATH DISCUSSED

We have already noted that Dr. John Forbes met the threat of the National Covenant with the publication of his "Peacable Warning to the subjects of Scotland" in which he sought to establish by complicated argument that the Negative or King's Confession had no longer any significance or binding force over contemporary

Note (9) Calderwood vii. 210

(10) R.P.C. 2 v. 453.

(11) Acts of Assembly 30.

Scots. The Covenant was dead and any attempt to resuscitate it should be recognised and condemned as an Unchristian effort to foster ritual controversy and promote division, when men should be seeking unity. For us the main interest of this argument lies in its novelty.

In 1618 it was common ground between Calderwood and Lyndesay that Subscribers of the Confession of Faith were bound by their oath, and it was also agreed that that meant practically the whole nation for there were few who had not at one time or another, made their personal oath, and what few there were must be regarded as covered by their membership of the Church which had on various occasions renewed the Covenant in its representative courts. Calderwood having claimed that "all and everyone of all estates of this Realm have solemnly sworn, that they shall continue in the obedience of the doctrine and discipline of this Church, and shall defend the same according to their vocation and power",<sup>(12)</sup> later expands the statement in these sentences:- "The oath and subscription was universal Anno 1580, 1581, 1582 and anno 1590. When the general band was made for the maintenance of true Religion, and his Majesties state and person. The said confession was published with the generall band, and subscribed. So againe anno 1596 when the covenant was renewed in the generall Assembly, in the provinciall Assemblies, in Presbyteries and particular Congregations, the oath was universall. Besides the universall oathes and subscriptions, upon divers occasions, some particular persons at divers times have subscribed. So, a particular rank of persons, as for example, schollers passing their degrees, since the yeare 1587 subscribed and swore the confession of their faith at the Laureatation. In like manner, every Burgesse at his admission protested before God to defend the religion then professed and authorised, to his li<sup>6</sup>e's end. In like manner, particular

Note (12) Calderwood Perth Assembly 24.

Presbyteries, and Synods of late yeares: as for example, the Ministers of the Synod of Lowthian assembled at Tranent anno 1604 subscribed the confession of faith. The two pretended Archbishops now liuing, were present and subscribed with the rest of the brethren. Any man may see, that few are excepted, who have not made their personall oath. And least any man think himself exemed, let him consider that the generall Assembly, the Kirks representative made a solemn oath by hdding up their hands, at the renewing of the covenant anno 1596. This oath of the Kirk representati~~ve~~<sup>ve</sup> obligeth them all who were living, to the maintenance of the purity of religion in Doctrine and discipline as it was then professed. (13)

Prone as he was to challenge anything Calderwood said, Lyndesay accepted these statements, and agreed that "no man should be heard to speak contrary to that, whereunto he hath formerly sworn and subscribed". (14) From the beginning the argument was not about the reality of the Oath, or its validity; it was altogether about its essential content.

Calderwood and those for whom he spoke, held that it was essentially an oath to maintain the purity of religion in doctrine and discipline as it was then professed; it was to maintain that doctrine and that discipline, and to exclude such ceremonies and practices as had been cast out at the Reformation, that every minister bound himself at his ordination. Lyndesay, on the other hand fastened on the 20th Chapter of the Confession of Faith, where he read, "Not that we think, that any policie and order in ceremonies, can be appointed for all ages, times and places; for as Ceremonies (such as men have devised) are but temporall, <sup>they</sup> ~~we~~ may and ought they to be changed, when they rather foster superstition, then that they edify the Church using the same". (15)

Note (13) *ibid.* p30.

(14) Lyndesay: True Narration 136.

(15) *ibid.* The Examination of the Oath discussed 4.



He was not slow to point out differences in the practice of Scotland from that of Geneva; he stigmatised the high Presbyterian attachment to the old ways as tending to superstition, and he claimed for Perth Assembly that it was the Church Representative and therefore entitled to command the obedience of the Ministers and Members.

Arguing from these grounds he was able to conclude:- "The former judgement of our church, whereunto wee did binde our selues by our oathes was, that no policie, nor order in ceremonies could be appointed for all ages, times and places; and that the same might, and ought to bee changed upon great causes, and weightie reasons, as is euident by the former answer. To this judgement of the Church, the Assembly at Perth adhered, and according thereto altered some customes, touching circumstantial ceremonies formerly used in the Church, upon good and great reasons: neither did that Assembly loose the said Oath, or dispense with it in any sort, but hath confirmed it by their owne practice. Wherefore I answer, That euery Preacher and Professor in our Church should stand to the former judgement thereof, whereunto he bound himself by his Oath, when he did sweare to the Confession of faith, and that no power can compel the alteration of judgement, or loose the said Oath in any case".<sup>(16)</sup>

There is no reason to doubt the sincerity of either protagonist as he insists on the binding nature of an oath; and equally there is no reason to doubt that, on this point both spoke for the great majority of their contemporaries.

Because Oaths matter, Lyndesay had to make every effort to prove that conformity to the Perth Articles was the line of truest obedience, and Charles was advised to deal leniently with ministers who had been ordained prior to 1618, provided they did not urge younger men to disobedience.

Note (16) *ibid.* 5.

Equally, because Oaths mattered, Calderwood and his companions felt compelled to urge their fellows to resist all changes in worship and discipline, and to refuse all oaths other than that printed with the Psalm Book, whatever the cost of non-conformity might be.

And it was because his Oath, once given, meant so much to the average Scot, that it was worth any effort to devise a Covenant which would be widely acceptable.

The fact that Dr. Forbes launched his attack on the Relevance of the first section of the National Covenant, in an attempt to discourage men from signing is probably to be understood as an indication that he realised that every man who signed would hold himself bound. And it is worth noting that many of those who were reluctant to sign the National Covenant excused themselves on the ground that it was not compatible with the oaths which they had already taken.

The Oath undoubtedly has a prominent place in the Debate but for the most part it appears in support of charges of Apostacy made by one side against the other; for the rest, men argue as we have seen, over what it actually was that they had <sup>the</sup> pledged to maintain and they debate the power of <sup>the</sup> Crown to discharge men from the oath already taken, or to impose an alternative oath which is inconsistent with that by which men are already bound.

Even when Dr. Forbes has promulgated his theory that the death of James liberated all men from the bonds of the King's Confession - there was no rush to claim or rejoice in, their new found freedom. Men, most men, still held themselves solemnly bound before God by one Oath, or another. And when the leaders of the Presbyterian Party felt the hour called for a Bond which would unite the various elements in the Nation, they realised the need <sup>to</sup> ~~to~~ <sup>so</sup> frame their Covenant that it was not a new movement, but rather the re-affirming of the long standing bond, adapted to the contemporary situation - a solemn renewing of the oath by

which as they held, the nation was already bound.

What Mathieson came to class as "these wretched Articles" had nothing to say on any of the topics which have occupied us in this, or the previous chapter; unless indirectly on the power and duty of Bishops in the Matter of Confirmation, but the debate about Ceremonies could not be confined to a discussion of the terms in which the Articles were drafted, or the significance of the changes which they proposed. The division over whether to sit or kneel at the reception of the elements had revealed to churchmen of all parties, much wider divisions. Men's minds were alerted to the wider questions and the larger issues, and as we have seen, through twenty years a group kept up their opposition to the Articles and used it as the Springboard from which to launch and maintain an attack across the much wider fields of ecclesiastical polity.

LONDON



CHAPTER 18.CONCLUSIONS

Seldom, if ever, can changes comparable to those involved in the adoption of the Five Articles of Perth have been introduced into any society without stirring up considerable opposition. We have seen that this was certainly not the exception. The immediate consequence of their introduction was to give a focus point for opposition to the King's ecclesiastical policy; and every effort at enforcement served to stimulate the opposition, which grew and developed, and as we have noted, played its part in sustaining twenty years of ecclesiastical strife. It remains to consider what was the significance of the Articles and what consequences, if any, of more than passing influence flowed from the attempt to enforce them. Professor Gordon Donaldson, who described them as "the high water mark of James's Liturgical Policy", also wrote that they "were a serious tactical blunder" by which "he endangered the whole of his ecclesiastical settlement".<sup>(1)</sup> With both these judgements we must agree. There is no doubt that the immediate significance of the Articles and the fact which at the beginning gave them their importance to James, was that they were to introduce a new seemliness and dignity into the liturgical practice of the Scots Kirk, and to whet the appetite for a more elaborate ritual. Accept these five principles in deference to the Royal Will, as he insisted they should be accepted, and there could be no objection to incorporating them in the Canons and Service Book which he was proposing, and so entrenching them in the life and practice of the Church. The blunder lay, first in not sensing the deep, widespread opposition to his proposals, and then, when that became obvious, in turning what had begun as an

Note (1) Donaldson: Scotland James V - James VII. 209.

effort to enrich the worship of the Church, into a trial of strength with his Scottish subjects. The history which we have traced in former chapters has clearly illustrated how constantly and, at how many points the controversy threatened his whole ecclesiastical settlement.

The immediate consequence of the attempt to enforce the Articles was to crystallise the opposition to all liturgical reform in such a way as to persuade James to abandon all thought of further innovations - he continued to hope that he might persuade some, and compel others to obedience, but he ceased to press for Canons, Catechism or Service Book. These concessions however, were too late and too limited to weaken the opposition and while he maintained the Polity which he had built up to the end of his reign, it was under constant attack.

The blunder did not die with the King, and Charles, as we have seen lacked the wit to try to make amends to his disaffected Scottish Subjects. Apart from offering a certain accommodation to older men, but hedged with restrictions, on their liberty which were bound to make it wholly unacceptable, he made it perfectly plain that he was determined to maintain and enforce his father's ecclesiastical policy.<sup>(2)</sup> In point of fact, so soon as he had found his feet, and gathered about him his own chosen advisers, he forgot or ignored, the warning light which had restrained James, and began to dream of a Church in much closer harmony with that of England and to plan Canons and a Service Book which would translate the dream into reality. As we have seen, the Canons, and more particularly the Service Book injected fresh vigour into the opposition and promoted something approaching mass resistance - but it is quite wrong to regard this as a new movement - it is simply the latest demonstration of the opposition which met the first suggestion of the Five Articles and has never been silenced

Note (2) Gardiner vii. 278.

since. The crystals of opposition had neither been crushed nor dissolved.

Dr. Ian Cowan who is responsible for the latest published assessment of the Articles, in his conclusions takes a short tentative step ahead of Professor Gordon Donaldson. The passage is worth quoting in full:- "While it is generally accepted that his insistence on the five articles jeopardised further liturgical reform this view of the damage done by these proposals may be too limited. In the atmosphere created by their passing and in the general non-conformity with their dictates, it may be seriously questioned whether the King at his death in 1625 left a Church at peace, or whether by raising these issues and an opposition determined to thwart them, James did not undermine the structure of episcopal organisation which he had so laboriously erected. King James every bit as much as his son may have initiated the process which led to the Glasgow Assembly of 1638 in which not only the Five Articles, but the office of bishop itself was ultimately condemned."<sup>(3)</sup> Dr. Cowan modestly suggests, but the evidence would surely justify him in categorically stating that James initiated the process which led to the Glasgow Assembly. Charles undoubtedly hastened the process, and no doubt helped to give the opposition its ultimate triumph. But the forces which undermined the episcopal organisation and purged the Church's Worship of the ceremonies in 1638 were the same forces which fought an apparently losing battle in 1618, and these forces were called into action by James.

There are four facts which are worth recalling at this point and in this connection. There was a small group of men who, by their actions and by their words, spoken or written, played a leading part in the opposition throughout the whole twenty years.

The fundamental objections to the ceremonies, and to the Bishops, and their

Note (3) Reformation and Revolution. ed. D. Shaw. 177.



assumption of temporal powers, are essentially the same from beginning to end of the controversy.

As we have seen, largely reflected in Warriston's Diary, there was considerable activity after 1633 directed towards establishing a fundamentally sound picture of Reformed Polity and Worship; but as we have also seen, the urgent needs of which men became aware at this time, had, almost without exception, been anticipated and provided for as early as 1621. Naturally the activities of Charles gave new occasions for protest and these were seized on, but not to the forgetting of the old offences - men who protested against the canons, or the Service Book, called also for the discharging of the Five Articles and the Court of High Commission.

In the light of these facts it is surely reasonable to suggest that those who were engaged in the struggle saw it as essentially one long fight against the unwarranted imposition of Ceremonies and Bishops on a Reformed Presbyterian Kirk.

There is no doubt that "by raising these issues and an opposition determined to thwart them", James inaugurated a period of intensive study of the Reformed Heritage, which issued in a firm attachment to Presbyterian Polity and Worship; and began the process which was ultimately to undermine the whole structure which he had long and carefully sought to erect.

When Episcopacy was restored, and legally the door was re-opened for the practise of the Five Articles, none but the saintly Leighton showed any interest in Liturgical restorations, and no attempt was made to reform the worship of the Church.

The rejection of the Five Articles by the Glasgow Assembly was to prove final until in the late 19th and more particularly during the 20th Century a permissive spirit came into the Church, largely under the twin influences of the

movement toward Christian unity and a revived interest in liturgy. Today the Festivals of the Christian year are widely observed, we freely sing unauthorised praises, private Communion is frequently celebrated, and there are wide variations in the manner of celebrating the Sacraments: but none of these changes have come about as a result of direction from the Assembly or any other authority; they have happened because no-one was concerned to challenge effectively their introduction. In the changed atmosphere of our time Societies and unofficial groups have been able to accomplish to a large extent what authority could not enforce in the 17th Century.

While the Articles were finally disposed of at the Glasgow Assembly, the influence of the controversy, as we have seen, did not end there. The remembrance of 1618-1638 profoundly influenced the conduct of the ecclesiastical leaders between 1662 and 1688; and the conflict still has two very practical influences in the life of the Church of Scotland. There can be no question that the attempt, first of James and then of Charles, to force innovations in worship on a reluctant Church was the seed from which germinated the first in the series of Barrier Acts which, ever since 1639, have protected the Church against sudden innovations in Doctrine and Worship.<sup>(4)</sup> Equally James's introduction of Bishops in Parliament, and the setting up of the Court of High Commission was the root from which grew the Act which still bars ministers of the Church of Scotland from membership of Parliament and from holding Magisterial Office.<sup>(5)</sup> True the Act has been ignored in recent times in the appointment of ministers to the Commission of the Peace, and to Burgh Magistracies; and may be said to have been breached by the appointment of Dr. Norman Maclean as an Honorary Sheriff Substitute and more recently,

Note (4) Acts of Assembly 43.

(5) *ibid.* 29.

by the appointment of Dr. George Macleod as a Life Peer. But the Act still stands as a fruit of the ancient controversy.

Through all the changes in Scotland's ecclesiastical climate during the 17th, 18th and 19th Centuries, and on into the late 20th, a stream of evangelical piety has flowed within the Church. This piety has had as its goal a personal experience of fellowship with the Risen Lord, has sought to make every Sunday "A worthy commemoration of the Birth, Death, and Resurrection of our Lord", and, tho' it may have celebrated but occasionally has regarded the Lord's Supper as one of life's great occasions and highest privileges. It is the piety of those who still find nourishment in the Communion Sermons of Maister Robert Bruce and rejoice to say with Horatius Bonar - "this is the hour of Banquet and of Song". Perhaps the greatest contribution of the controversy about the Five Articles has been the opening of one of the springs from which this stream has flowed steadily ever since. Those who consider the claim for a continuing tradition of piety extravagant would do well to recognise that it was the attempt to interfere with the worship of the Church which provoked the first effective opposition; to recall the arguments advanced against the official proposals for Sacraments and Service Book; and to trace the persistence of the ideas advanced by the non-conformists of 1618-1638 in the devotional writing of each succeeding generation.

We must conclude that when he proposed to reform the worship of the Scottish Kirk James over-reached himself; when he forced the Articles through the Perth Assembly he won a victory which neither he nor Charles could make effective; and that, at the same time and by the same Act, he started a movement which would effectively block all liturgical reform in line with his own ideas, which after a time would sweep away the structure which he had built, and which would profoundly influence both the devotion and the organisation of the Church of



Scotland for at least the next 300 years: and, if that were not enough, he sowed the seeds of divisions which would last at least as long.

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APPENDIX A.ALEXANDER LUNAN.

Alexander Lunan, A.M. appears briefly in the pages of Dr. Selwyn's Translation of the Irenicum, receiving his honourable mention there as the author of 9 aporiae which stimulated Dr. John Forbes to write the work. Apart from this reference one searches in vain for his name except in Fasti and Family Histories and in the Records of King's College. He has remained unknown, or without interest alike to contemporary writers and later historians. This is odd, for the pilgrimage of this doubter, if we could trace it in detail, must surely be of more than ordinary interest to the student of the Five Articles.

Happily we can trace the main stream of its course through the records of the University of Aberdeen, and so can assess some of the influences which must have played upon his mind and presumably influenced his thought.

Lunan entered the King's College in 1611, probably the year in which John, the second son of Patrick graduated, and along with seven others graduated Master of Arts in 1615; he served the University for a time as Humanist, i.e. teacher of grammar, poetry and history probably from 1615 to 1618; he acted as Regent to the entrants of 1618-1619, and again to those of 1622-1623, handing these over for their final year to Mr. John Lundie, on account of his appointment, or as the records say, promotion to the Ministry. In 1622 he presented to the University his Theses Philosophae.<sup>(1)</sup> On 2nd October 1625 he was presented by Charles to the Parish of Monymusk in the Presbytery of the Garioch, served for three years there and in 1628 was admitted to the neighbouring Parish of Kintore where he remained presumably until his death sometime in the early 60s.

In 1632 he married the daughter of Sir Wm. Forbes of Monymusk and their son

Note (1) Anderson: King's College: Officers and Graduates (Now Spalding Club) 46. 54 et al.

William was served heir to him on 2nd June 1665.<sup>(2)</sup>

Admittedly such bare bones can create for us no more than the skeleton of a career. But it is surely not without significance that Patrick Forbes was created Bishop of Aberdeen and Chancellor of the University of Aberdeen early in 1618. Moreover in 1619 the King, on the advice of the Chancellor appointed his Bishop along with certain others "A Commission to examine into the state of King's and Marischal College, and report to the Privy Council"<sup>(3)</sup> - in other words Forbes secured to himself power to initiate and reform as he might think desirable in the Colleges of Aberdeen. This Commission is important for our present purpose because the record of its proceedings tells us that there were three regents at this time, and none of them could produce legal proof of their appointment - but we know from the Roll of Alumni of King's College that Alexander Lunan was Humanity Regent from 1618-1625, so we must assume that the young man made such a favourable impression on the Bishop that his position was regularised and his appointment continued. Moreover the reforming Bishop took immediate steps to secure the foundation of a new Chair of Theology and on 27th April 1620 his son John was appointed its first occupant, so for the next three and a half years or thereby, Alexander Lunan was a student in his classes and a junior colleague to the young Professor - that fact alone, plus the fact that for part of the time the younger man was engaged in his Philosophical studies, make it reasonable to suppose that there would be more than occasional contact between the two; and the fact that Lunan later took his problems to the Professor would indicate certainly that he had learned to value the judgement of John Forbes, and probably there was a degree of friendship between them. Finally in this

Note (2) Fasti Eccles Scot. vi. 168.

(3) Rait: The Universities of Aberdeen. 124 & 5.



connection, when the time came to leave the Academic Halls for the Ministry of a Parish, the King bestowed on him a living - obviously he owed this appointment to the Bishop, and equally obviously the Bishop must have regarded it as the safe appointment of a sound, dependable man.

It is at this point that Alexander Lunan becomes an interesting problem. When the Presbytery of the Garioch met to admit him to his first charge they must have believed that here was a man whose politics were Royalist, whose theology was orthodox, according to the standards of Aberdeen, and whose ecclesiastical and liturgical conformity was above suspicion: yet, within a comparatively short time of becoming a Parish Minister, he is presumably seriously troubled by doubts and the rights and wrongs of conformity.

The Nine Aporiae in which he submitted those doubts to the judgement of John Forbes are, we must assume, the crystallised product of his thinking about the problems over a period of time. Forbes replied briefly but convincingly in the judgement of Lunan, so we may take it after careful consideration Forbes must have gone on to consider the significance of the fact Lunan had these difficulties, for he did not remain content with a personal reply to the trouble, but developed the argument into a substantial book "The Irenicum", which was first published in 1629. If Lunan the Doubter had been a solitary figure in, say 1627, the first brief answer from Forbes might have sufficed, even allowing that he had a few companions in doubt it might have served the turn, for Lunan was so impressed by the reply that he sat down and wrote to all his fellow Presbyters urging them to accept the argument of Forbes. Forbes was not content to leave it there, reckoning that the times called for giving the widest publicity to the fullest statement of his point of view.

As one reads the Aporiae, mindful that the author had spent fourteen years

in the fellowship of King's College, disciplined by study first in Arts, and then in Theology, that for more than half the time he had shared in the work of teaching, and that during the later years he must have been to some extent at least, influenced by both Patrick and John Forbes; one is almost bound to ask whether these are genuine doubts prompted by the new experience of the Parish Ministry with fresh contacts with minds more independent than his had become during his stay in the Academic Cloisters; or whether they are doubts set up to be knocked down by Forbes in the Public Interest.

If the <sup>or</sup> ~~Aporiae~~ express the genuine doubts of a Parish Minister trained in the School in which Lunan was, and if these doubts were shared by many brethren in the N. East - as Lunan's letter would suggest-they are very interesting in themselves, but perhaps even more interesting for the light they throw on the situation in Aberdeen eight to ten years after Patrick Forbes became Bishop and John began to teach in the King's College. In what has always been regarded as the stronghold of Conformity in spite of the combined influence of Bishop and Professor, there were on this reading, more than a few Ministers who doubted the rightness of conforming in the matter of kneeling at the receiving of the Sacrament, and doubted because they feared idolatry, saw in conformity a departure from the example of Christ and His disciples, and considered it an ill-advised break with the Scottish tradition, which involved the twin evils of offending the weak and encouraging the enemy, without gaining any adequate compensatory benefit for the Scottish Church. If this be the fact then surely the generally accepted estimate of the influence of the Bishop and his son at this time are due for drastic revision.

If on the other hand the Aporiae should be regarded, as Dr. Selwyn suggested "as a compendious summary of a large number of conflicting objections

to the articles felt and expressed in the Scottish Church at that time", Lunan may have played amanuensis to Forbes, collecting the material and arranging it in a suitable form, so that Forbes could set out his reply in systematic form. We are however left with a number of problems, and one fact. To glance at the problems first of all - how far if at all, was Lunan affected by these objections?

Was the personal reply from Forbes really a first draft, sent perhaps for Lunan's criticism and suggestions?

And did he circulate it among his brethren with the same idea in mind? Or, are we to see in these actions evidence of a sense of urgency in getting out some answer to the criticisms?

To give a positive answer to any of these questions is extremely difficult - there is however no doubt about the fact, that these objections set out by Alexander Lunan, were so widely held and so openly expressed ten years after the Perth Assembly, that they persuaded John Forbes to sit down and bend all his skill to making the most fundamental and the most scholarly defence of the Five Articles which was ever undertaken.

There is a further question which is worth asking, even if it must remain unanswerable. Was the Mr. L. who corresponded with Lord Craighall in 1636 or 37 our Alexander Lunan?.

Among the letters of Samuel Rutherford there are a number written about this time to Lord Craighall and two make direct reference to letters which his Lordship had received from a certain Mr. L. Bonar, in his edition of The Letters adds a footnote to the first of these - "Who is here meant cannot now be well ascertained. It may have been Mr. Loudian, of whom Baillie says "He was an excellent philosophe, sound and orthodox, opposite to Canterbury's way, albeit



too conform. I counselled oft Glasgow to have him for their Divinity Lecturer".<sup>(4)</sup>

It may have been Mr. Loudian, of whom nothing is known apart from the single reference by Baillie, but at least as good a case can surely be made for this alternative.

John Hope, the eldest son of the Lord Advocate, and himself a lawyer, was appointed a Lord of Session in July 1632, when he took the title Lord Craighall. His father, with extraordinary skill combined the duties of Lord Advocate with those of leading Counsel for non-conforming ministers and after the introduction of the Service Book came out definitely on the side of non-conformity. The tone of Rutherford's letters plus the fact that Lord Craighall sought his advice, would suggest that, like his father, the son inclined to non-conformity - but as a Lord of Session he would be under very great pressure to conform, one element in that pressure was the reasoned arguments presented by Mr. L. in his letters. Phrases in Rutherford's letters might seem to imply that he knew more of Mr. L. than just what his letters revealed, and we have to bear in mind that Rutherford, in banishment in Aberdeen, may well have met Lunan.<sup>(5)</sup>

It is even possible that Lunan was one of those sent to debate with him - if so he would have every chance to assess his scholarship. Be that as it may, if we concede that the support of a wavering Senator of the College of Justice was worth canvassing, we must surely agree that the Minister of Kintore was well qualified to be asked to undertake the task, a graduate of Kings', a junior colleague and collaborator with Dr. John Forbes, well informed and firmly convinced of the soundness of the cause, he should be an effective pleader, and his association with Forbes, should secure that his pleadings were in line with the best conformist principles. It may not be, but it certainly could have been that Alexander Lunan wrote The Letters.

APPENDIX B.JOHN ROW. MASTER OF THE GRAMMAR SCHOOL

The subject of this Appendix was appointed Master of the Grammar School of Perth in June 1632<sup>(1)</sup>. The Community cordially welcomed his appointment partly because it marked the end of a period of uncertainty and strife, partly because in him the Town Council, the Kirk Session and the Ministers all found a candidate who so commended himself to them that they could forget past divisions and agree upon his appointment, and partly on account of his undoubted gifts as a scholar and a teacher - though still a young man, he was already the leading Hebraist of the day and engaged in the preparation of his 'Hebraeae Linguae Institutiones' and his 'Vocabulary of the Hebrew Language'; apart from a single episode occupying a brief period, he was to enjoy the confidence of the authorities and the community until, in 1644 he left the city to take up an appointment as one of the ministers of Aberdeen.

On Easter Day 1633, accompanied by his brother Robert, who was his Assistant Master, he attended Service in St. John's Kirk bringing with him, as was customary, his pupils in the Grammar School. Being Easter Day, it was of course Communion Sunday and, to the consternation of the congregation, immediately before the Table Service, he rose and left the Kirk taking his pupils with him.

As if that were not enough, having business with the Council the next day, he boldly claimed that Scripture would answer for his own and his pupils not communicating at this time. The inevitable consequence was his being cited to appear before the Kirk Session; this he did on 6th May, and being asked "What was the cause why he did not communicat?", he answered that "He did not communicate where the institution by Christ was altered in any jote," and claimed that the Sacrament, as celebrated in

Note (1) D.N.B. XVII. 330.



Perth, was significantly different from the Sacrament as instituted by Christ. The Session then asked his brother why he did not communicate, to which his first reply was that he was not adequately prepared for participating, but when it was suggested that he had had all the time which other members had and might, like them, have used it to prepare himself, claimed that he shared his brother's convictions. Met by such apparently determined opposition, the Session agreed that their wise course was to refer the cases to the Presbytery, and this they did. On 15th May the reference from the Kirk Session came before the Presbytery with supplementary statements to the effect that John not only did not communicate himself but that he withdrew the Scholars, so preventing them from communicating, that he ordered them not to communicate, that he threatened to discipline one or two who, in defiance of his order, did communicate, and that he claimed Scriptural support for his actions. Here surely was a clear case for discipline but, in the judgement of the Presbytery, it could not have occurred at a more unfortunate time. In exactly one month Charles was due in Edinburgh for his coronation and to hold a Parliament, after which he was to make a Royal Progress through parts of Scotland which was to include a visit to Perth. Neither Presbytery nor Session had any desire to draw the King's attention to the disobedience of the Master of the Grammar School, or to invite too close a scrutiny of their own interpretation of conformity to the Five Articles: both were confident that, were the truth known to the King, they could only look for "sharp rebukes and further and more strict urging of the Ceremonies." They agreed to continue consideration of the case until "it please God His Majestie be returned to England".

The King's visit having passed with no more serious disturbance than a brush between Laud and the Town Council and Ministers over the terms of the Burgess Oath, when they proposed conferring the Freedom of the Burgh on him,<sup>(2)</sup> the Presbytery

Note (2) Perth Hospital Register. N.L. 13.1.4(ii) "At Perth February 25. 1594.

Ordnained that those who by the Dean of Guild shall be entered free Men and Guild Brethren within this town, come before the Session and give up their names promising obedience to the Discipline of the Kirk.



resumed consideration of the case on 24th July, when they agreed to cite Row to appear on 21st August to answer the charges against him. He appeared, claimed that "the Institution was broken by kneeling in place of sitting and by the Minister handing the Elements to the individual communicant in place of distribution among the members, and claimed Luke 22 verse 17 - the saying of Jesus concerning the Cup, 'Take this, and divide it among yourselves.' - as the Scriptural ground on which he took his stand.

The Brethren replied that the norm was not altered in any significant sense, that the best theologians agreed that the reference in Luke applied to the Passover Cup, but not to the Cup in the Supper and, in the passage we have quoted in the text, that kneeling was not obligatory in Perth, or many other places. They agreed that in Perth it was the practice for the Minister to go round the Table and give the elements to each of the communicants out of his own hand, but added that Mr. Ninian Drummond, Minister of Kinnoull, still followed the old form. Row then admitted that, had he known that Drummond was to conduct one of the Services, as he actually did, he would have attended on that occasion and would have partaken. (3)

The Presbytery continued consideration of the case to their meeting on 4th September and required Row to present himself again on that date: they then gave it as their considered opinion that "His actions had occasioned very great offence, not only in Perth but throughout the whole country, even to the chiefest parts thereof, and apparently would make schism in the Kirk if not remedied in time." Row replied that he had never seen his action causing so great offence and asked for time to reconsider his position. He was given until the next meeting of Presbytery on 11th September and on that occasion he appeared, confessed that he

Note (3) SRO CH2. 299/1.

had been wrong in his action and in his application of Scripture, asked the forgiveness of the Presbytery, and promised to communicate in Perth in time to come. The Presbytery concluded the case by accepting his confession and instructing him to make his peace with his Kirk Session: this he did the next day and the Minute reads:- "Compeared Mr. John Row, Master of the Grammar School, and acknowledged his offense in not communicating with the rest of the congregation at the last celebration of the Lord's Supper at Perth because of some causeless scruple he had then for the time, whereof he now repents him: Promising that both he and his scholars shall communicate with the rest of the congregation yearly in time coming. Whereupon the said Mr. John Row was heartily reconciled to the Session, and a visitation of the school was ordained to be this day eight days."<sup>(4)</sup> an apparently happy ending to an incident which four months before had seemed fraught with great danger for the peace of the Kirk. But what are we to make of the incident and its ending?

In 1559 the Pope sent John's Grandfather back to Scotland, which he had left at an early age, with a special commission to keep him informed about the movement for reform in the Scottish Church: this John, as he observed became convinced, joined the Reformers and became Minister at Perth; his son John was for over fifty years minister of Carnock, was part author of a history of the Kirk, and through all his days a staunch non-conformist; so it was little wonder if John III inclined to non-conformity, and Easter 1633 was the first Communion Season in Perth after his appointment to the Grammar School, so it would be perfectly natural for a keen non-conformist to take his stand on that occasion. What seems extraordinary is that a keen non-conformist, who was also a scholar of repute, should be so easily persuaded over a matter of exegesis that he was in error, should express contrition



because his non-conformity had caused offence, and should attribute his non-conformity to "causeless scruples" of which he was prepared publicly to repent! Are we to conclude that the Easter Day Demonstration was an act of bravado and he was not really a convinced non-conformist? Before accepting that conclusion we must reckon with his future as well as with his past. When the time came, he was a staunch supporter of the Covenant, he kept, or won, the friendship of Alexander Henderson, Samuel Rutherford, John Ad<sup>am</sup>son, and Andrew Cant, through whose influence he became a minister of Aberdeen in 1641. This frankly looks like the progress of a man whose sympathies in 1633 were all with non-conformity.

The most reasonable conclusion seems to be that submission to Presbytery and Session was the price which had to be paid if he was to continue to hold the influential office of master of the Grammar School; so the non-conformist paid it. But if that were so, and if he was prepared to pay the price, why did he demonstrate so dramatically in the first instance?

It may well be that in the Spring of 1633 he was not prepared to pay the price; it could even be that he hoped to create a crisis on the eve of the Royal visit - if so the caution of the Presbytery defeated his purpose, but he still held to his non-conformity, as witnessed in his testimony before the Presbytery when it resumed the hearing. By September he expressed surprise and professed to be troubled by the greatness of the stir caused by his small demonstration; but is it not at least possible that this was a cover for the fact that others were seeking to persuade him to conformity - 'for the work's sake!

If we incline to this explanation we are left of course with the questions - who would so counsel? and by whom was he likely to be persuaded? Two individuals suggest themselves.

John Malcolme, senior minister of Perth at that time, a non-conformist at



heart who, we are told, voted against the Articles in the Assembly but, when they were passed, decided that in the interest of peace in the Kirk he should conform and spare Perth the strife which tore the life of the church in Edinburgh - he had welcomed Row's appointment and had every reason to wish to retain his services. Or Lord Chancellor Hay of Kinnoull "on whose recommendation he had been appointed to Perth" and to whom Row was later to dedicate his 'Institutiones' and, in the dedication to acknowledge benefits conferred on his father and himself. To keep his Office the Chancellor must have conformed, at least from time to time, yet this did not prevent him befriending the non-conforming minister of Carnock and his son, nor, presumably worshipping at Kinnoull 'with Ninian Drummond' one of the staunchest, as one of the most open opponents of conformity, Either or both of these may well have influenced his action at this time.

If we may never know how genuine was Row's repentance, or what influences led him to confess it, we may reasonably acknowledge that we owe to him some of our best evidence as to the degree of conformity current in the early 1630s; as to the attitude of some Church Courts both to the Royal Opinion and to the problems of enforcing conformity; and as to the age at which it was thought reasonable that children should become communicants.

APPENDIX C.VOTING IN ASSEMBLY AND PARLIAMENT

Principal Lee opened the 22nd of his "Lectures on the History of the Church of Scotland" with these words:- "I have already mentioned that the Acts of the Scottish Parliament in 1633, relating to religion, were rejected by the majority of the house. The fact is notorious, and is acknowledged by every historian entitled to any credit: yet the King and the Clerk Register falsely declared that the majority of the votes had approved the articles, which accordingly were passed into laws".<sup>(1)</sup>

The quotation highlights one of the problems which confronts the would-be historian of the period. Every vote in Assembly or in Parliament was challenged on one or more grounds. At Perth, the right of some to vote "Wanting commission" and the right of the King's Commissioners and their assessors to exercise more than one vote was challenged. And it was alleged that undue pressure was put on some to vote affirmative, and that the votes of some were counted twice".<sup>(2)</sup>

Of the vote in the Parliament of 1621 Calderwood says "They were directed to express their voices in these words, "Agrie", "Disagrie". It came to pass that the wyde opening of the mouth at a. the second syllable of Disagrie did eat up the first syllable, specially in those who did speak with a low voice being threatened and boasted with menacing eyes and looks of the Secretary: and so the negative were noted as affirmative".<sup>(3)</sup> And he also claims that Proxies did not always vote in accordance with the mind of those they claimed to represent; while the Clerk, when in doubt, marked the vote as consenting. To add to the confusion, complicated questions about the composition of the Courts

Note (1) Lee: Lectures on the History of the Church of Scotland. ii 242.

(2) Calderwood. vii 333.

(3) *ibid.* 497.

were raised. Calderwood's first reason for declaring Perth Assembly null was the fact that four dioceses<sup>s</sup> and some Presbyteries were unrepresented;<sup>(4)</sup> Traquair advised Charles in 1639 that the absence of the Bishops from Parliament would justify him, after the event in declaring invalid the Acts of a Parliament which lacked the Third Estate.<sup>(5)</sup>

Moreover we lack evidence as to how votes were counted in the Scottish Parliament, and as to the relationship between voting in the Articles, and voting subsequently in the Parliament to which the Articles reported.

The practical interest of this aspect of the debate lies in its illustration of the tactics employed on either side, and the vigour with which the discrediting of the opposition was pursued. Any influence on the progress of the controversy was purely secondary - a possible gaining of support for the cause, by alienating sympathy from individuals and groups opposed to it.

The detail of the vote was comparatively unimportant, what mattered was that one party was able honestly or dishonestly, to pass into law, of church or state, the articles for which it was fighting. We have seen however that it was one thing to be able to enact, and quite another to be able to enforce the enactment - hence the twenty years of conflict.

Note (4) *ibid.* 333.

(5) Gardiner. ix 47.



APPENDIX D.THE CONTROVERSIALIST'S ARMOURY

One has only to turn over the pages of any of the controversial pamphlets to be impressed by the wealth of Marginal References which, on examination, prove to be exact chapter and verse, or page references to the works of a wide range of authors, often supported by brief quotations. Sometimes a translation having been incorporated in the text, the original is quoted in the margin. This evidence argues for an author, or authors, widely read in general literature and very well informed in the controversial history of the Church, but also with ready access to his authorities, so, presumably either equipped with well stocked Commonplace Books, or able to draw on an extensive library.

The relatively late, and comparatively brief "Pastor and Prelate" has as part of its long title "Compared by the Word of God, By Antiquitie, and the proceedings of the Ancient kirk" - by the proceedings of our owne Kirk". Pride of place as an authority is not unnaturally given to the Word of God and at almost every point the argument is supported by chapter and verse references to the Bible from Genesis to Revelation, many of course from the Epistles, but the other Books being far from neglected.

He finds grist for his mill in Aristotle, Horace, Seneca, Plautus, Plutarch, Petrarch and Tertullian, and even among the Greek Epigrams. He draws on the Fathers, Augustine and Bernard, Hugh of St. Victor and others. Machiavelli and Bellarmine find their place among his authorities. He quotes Jewel, Hooker, Bilson, Bancroft, Whitgift; Dr. Reynolds writing to Sir Francis Knollis about one of Bancroft's Sermons and Tilenius. There is more than one reference to Beza, a quote from Basilicon Doron, George Wishart, the Scots Confession, The Books of Discipline,

the Acts of Assembly and of Parliament from the Reformation down to 1618 and 1621. And for good measure he refers to Fables which must have been in popular knowledge and adapts satirical poems of former days - "What was written of the popish prelate in these times, is of new again reversified of ours, as of their civil offices and advocations",<sup>(1)</sup> and he quotes Latin and English versions, of which these two lines may serve as an example:-

"Lucre worth is more than Luke,

And merkes than Mark weigh better".

Whatever be the verdict on the effectiveness of his argument, it must surely be agreed that the range of his references justifies the claim of his title page.

Consideration of a single section of "Perth Assembly" will illustrate this same mastery of quotation from a wide range of sources. Quotations in that section which deals with "Kneeling is a breach of the Second Commandment" range from Augustine - four quotations, to Dr. Abbot (1560 - 1617) one, and include Aquinas. Much attention is given on the one side to Bellarmine, Swarez, Durandus, Holcot, Mirandula Alphonsus and Petrus Cloniacensis: and on the other to Perkins, author of what was accepted as the ablest exposure of heretical belief<sup>(2)</sup>, Fenner, Causaubon, Hooper, Beza, and Festus Homius for evidence as to the attitude of the Belgic Churches. Dr. Morton, at that time Bishop of Rochester, comes in for his fair share of criticism; and critical reference is made both to the attitude of Romans - Bonar and Gardiner are named - to the first Book of Common Prayer, and to Cranmer and Ridley's revisions. As is to be expected the Scriptures are freely and frequently quoted.

The field under review in this section is of course relatively narrow, and much of the conflict belonged to what was then "modern times", but once again

Note (1) Pastor and Prelate. 28.

(2) N.D.B. i 24.

we see the author pick his way confidently through a considerable literature with which he is obviously familiar; and we know that he will traverse a number of other fields with a like show of informed competence.

Undoubtedly David Calderwood had a considerable Library but, probably for many years, it was dispersed and even after settling in his last Parish he did not get around to bringing it together again. According to his will, written 23rd October 1650, there was 12 kists of books in the keeping of seven friends at different addresses along with "several kists lying here and there and six books on loan to a lady in Easter Pencaitland". These, along with the books in his Study were to be divided between three nephews and a niece. One imagines that, as Paul the prisoner longed for his parchments, so Calderwood must often have longed to take out a book left behind in one of the kists.

The wandering life of an exile cannot have made it easy for him to carry many books with him, and even in Holland he was far from secure. How then did he write his pamphlets and check his references? The question must remain unanswered - he may have had access to the Library of John Forbes, formerly of Alford, or some other exile received into the Netherlands Community; or worked in a quiet corner of Leyden, or one of the other Universities. The one thing we do know is that he drew freely on a wide range of works, and quoted from them with careful accuracy.

This can in fact be said of most of the controversialists on either side, they were widely read in the works of the Fathers, in Scripture Commentaries of every generation, in the literature surrounding the Great Councils of the Church, in the controversial literature of the Reformation, and the years leading up to it; and in the Confessions, and controversies of other branches of the Reformed Church, as well as in the literature of the conflict in which they were engaged. Each drew from this considerable reservoir what he thought would best serve the cause to which he was committed.



APPENDIX E.CHRONOLOGICAL TABLE OF EVENTS

- 1609 - June - Parliament gave the King power to "prescribe what apparel he pleased unto ministers, either in the time of Divine Service, or out of it".
- October - Commission ordering the Court of Session to have a Christmas Vacation.
- December - "Christmas was not so weill kept in Edinburgh these threttie years before."
- 1614 - March - Proclamation requiring Communion to be "celebrat universally through all the Kirks of the Kingdom upon one day, to wit upon the twenty four day of April nixtocum".(Easter).
- 1615 - March - Proclamation to celebrate the Communion at Easter in all times coming. "God and the King" enjoined as compulsory reading. (1)
- December - COURTS OF HIGH COMMISSION united with enlarged powers.
- 1616 - August - Aberdeen Assembly went some way to meet the wishes of James but he was contemptuous and sent down the Five Articles "to be inserted in the Canons".
- August - Spottiswoode refused, wanting the authority of the General Assembly.
- 1617 - James visited Scotland and ordered nobles etc., to receive the Communion on their knees in the Chapel of Holyrood on Whitsunday (8th June).
- Calderwood banished by the High Commission.
- November - St. Andrew's Assembly postponed judgement on Five Articles, to allow discussion.
- 1618 - January - Conference in the Little Kirk of Edinburgh confronted with letter from the King requiring that all who were present should approve the five Articles - to which they replied that the matter was of great importance, the manner of proceeding somewhat sudden and violent, that they must consult the whole brethren of the ministry and would do what in them lay to give His Majesty satisfaction.

Note (1) We have not included "God and the King" among the controversial pamphlets. It would seem to have had little or no influence. Only other references are complaints by Mr. Primrose that he could not get Presbyteries or Parishes to pay for copies supplied.

1618 - January - Proclamation for observing Holy Days.

Patrick Forbes appointed Bishop of Aberdeen.

Bishops, in their Cathedral Kirks, celebrated the Communion at Easter to the people kneeling.

Celebration in the Chapel Royal for the Officers of State followed by a Whitsunday celebration on the King's instructions.

August - Perth Assembly, in face of protests, passed the Five Articles.

October - Articles ratified by the Privy Council and Proclamation made enjoining obedience.

Authority given to High Commission to proceed against all who speak or write against the Assembly.

1619 - March - Communion celebrated on Easter Day in Edinburgh Kirks with kneeling - many sought Communion in Churches adhering to the old form, and Calderwood says there was much confusion.

April - "Perth Assembly" began to circulate in Scotland.

November - CONFERENCE AT ST. ANDREWS - "to lay our heads together to advise of the best course for the peace of the Kirk" meets under shadow of King's demand that non-conformists should be deposed, and his threat to send ministers from England to fill vacant charges.

1621 - Parliament, in face of protests, ratifies the Five Articles, and James promises no more innovations.

1625 - Death of James followed by Accession of Charles.

Proclamation requiring "all to conform to the present established order".

1626 - Indulgence granted to older ministers on condition of no propaganda. About this time leave granted to Calderwood to return.

1629 - Confusion in the administration of the Sacrament and growing opposition to kneeling.

1633 - Charles visited Scotland for his coronation.

June - Parliament confirmed all the Acts of the late reign relating to the Church and passed one re-affirming the Royal Prerogative and the King's right to determine the dress of Ministers - which Charles used to introduce the surplice etc., Service in St. Giles after Anglican Form.

- 1634 - Privy Council pass act requiring parishioners to communicate in their own Parish Church.
- 1635 - Spottiswoode appointed Chancellor.
- 1636 - Canons issued by Royal Authority.
- 1637 - Prayer Book sent down and every minister ordered to buy two copies.
- July - Use of Book in St. Giles leads to riot.  
SPOTTISWOODE takes action against Henderson and others which led to Petition to Privy Council with notable results - which included division between Charles and the Council.
- 1638 - February - The National Covenant launched.
- May - Charles offers accommodations, on conditions, but they are judged too little and too late - the demand is for an Assembly and a Parliament.
- September - Proclamation for Assembly in November and Parliament in the following May.
- November - The Glasgow Assembly.  
Commissioner dissolves the Assembly but it continues its sitting abolished Episcopacy, the Five Articles etc., Charles refused to accept the decision of the Assembly and represented it as an attack on the Monarchy and prepared for War.
- 1639 - "Large Declaration" published setting forth the misdeeds of the Scots as seen through Royal Eyes.
- June - Treaty of Berwick under which Charles promises both Assembly and Parliament.
- August - Edinburgh Assembly which confirmed the sweeping away of "Episcopacy and all its attendant ceremonies".  
Parliament followed, defied Charles and confirmed the Acts of Assembly.



APPENDIX F.PERSONS PROCEEDED AGAINST FOR NON-CONFORMITY.

Proceedings were normally taken in the Court of High Commission at the instance of the Bishops, sometimes before the Secret Council and then usually at the instance of the King. Occasionally other courses were taken, e.g. James Cathkin, the Edinburgh Bookseller, having gone to London on business was apprehended there and held for a time for alleged complicity in the publication of the "Perth Assembly".

## 1. COURT OF HIGH COMMISSION

Ministers Summoned, Admonished and dismissed.

John Malcolm  
Wm. Scott  
John Carmichael  
John Weyms  
John Gillespie  
James Hume  
George Crier  
John Chalmers  
James Wilson  
Wm. Murray  
James Bennett  
David Howie  
Samuel Sinclair  
Alexander Kinnear

Alexander Hume  
James Dause  
James Burnet  
Francis Collass  
John Clapperton  
Wm. Arthur  
Thomas Abernethy  
Robert Scott  
Alexander Smith  
Wm. Moffane

Ministers Confined

Wm. Erskine  
David Mearnes  
John Row

Richard Dickson  
Samuel Rutherford

Ministers deprived and forced to go abroad

David Calderwood  
Andrew Duncan  
George Dunbar

Ministers deprived and secured no other benefice in Scotland

Peter Hewat  
 Thos. Hog  
 George Johnston  
 John Moray  
 John Scrimgeour

Ministers who received new cures

David Barclay  
 Henry Blyth  
 David Forrester

Ministers deprived but restored to their own Parish

Wm. Cranston  
 John Ferguson

David Dickson  
 Wm. Livingston

Ministers deprived etc.

James Porteous  
 Walter Greig

Archibald Simson

READERS

Patrick Hemrisons - threatened with deposition for 2nd Offence.

Thomas Biggar - imprisoned but liberated to keep School, on condition of not acting as Reader or Session Clerk.

Samuel Rutherford's brother - banished from Kirkcudbright, where he was Schoolmaster and Reader.

OTHERS

Richard Lawson, James Cathkin and John Meine admonished for not keeping Christmas.

## 2. SECRET COUNCIL

March 1619 - Sir James Skene, Lord of Session threatened with deprivation.

March 1620 - Wm. Rigge, Richard Lawson, Robert Meiklejohn, John Meine and Thomas Inglis ordered to be confined "for encouraging troubled ministers when cited before the High Commission".

July 1621 - Mr. Alex. Simson, Minister of Mertoun, warded in Dumbarton and later confined to his own Parish.

July 1621 - Mr. Andro Duncan, Minister of Craill warded at Dumbarton and later confined to the Parish of Kilrennie.

1624 - Mr. Wm. Rigge, John Hamilton, John Meine and John Dickson warded.

June 1624 - Mr. John Murray, Mr. Robert Boyd, Mr. John Ker, Mr. Thomas Hogge, all confined.

All proceedings against Maister Robert Bruce were in the Secret Council and at the instigation of the King.



APPENDIX G.THE CONTROVERSIAL PAMPHLETS ARRANGED CHRONOLOGICALLY<sup>(1)</sup>

- E. After a title indicates that it was an English pamphlet, but known and discussed in Scotland.

Pamphlets against conformity had to be published anonymously:

- D.C. after a title means that the authorship is generally attributed to David Calderwood.

- |      |  |                    |
|------|--|--------------------|
| 1618 | De Regimine Ecclesiae Scoticae Brevis Relatio.   | D.C.               |
| 1619 | Perth Assembly 1618.   | D.C.               |
|      | Reasons of a Pastor's Resolution.  | David Lindsay.     |
|      | A Solution of Dr. Resolutus, his Resolutions for Kneeling.   | D.C.               |
| 1620 | Refutatio Libelli De Regimine Ecclesiae Scoticae.  | John Spottiswoode. |
|      | Parasynagma Perthense Et Juramentum Ecclesiae Scoticae.  | D.C.               |
|      | A Dialogue betwixt Cosmophilus and Theophilus anent the urging of the New Ceremonies. <sup>(2)</sup> |                    |
|      | Paraensis ad Scotos, Genevensis Disciplinae Zelotas.   | Daniel Tillemus.   |
|      | The Lawfulness of Kneeling   | John Michaelson.   |
|      | A Defence of Our Arguments against Kneeling Impugned by Mr. Michaelson.                              | D.C.               |
|      | The Speech of the Kirk of Scotland to her Beloved Children.  | D.C.               |
| 1621 | The First and Second Books of Discipline   | edited D.C.        |
|      | The Altar of Damascus  | D.C.               |
|      | A True Narration of the Proceedings in the General Assembly Holden at Perth                          | David Lyndesay.    |
| 1622 | Paraclesis Contra Danielis Tileni Paraenesin.  | Sir James Semple.  |

Note (1) We have purposely omitted pamphlets which were essentially arguments for or against signing the National Covenant.

(2) Laing, following Row, attributes the pamphlet to John Murray, Minister at Dunfermline.

- 1622 A Reply to Dr. Morton's General Defence at 3 Nocent Ceremonies. (3) E.?
- Calderwood's Recantation. (4)
- The Course of Conformity. (5)
- 1623 Vindiciae Contra Calumnias J. Spotiswodi. D.C.
- Altare Damascenum. D.C.
- Reply to Dr. Morton's Particular Defence E.?
- 1624 Boanerges, or the Humble Supplication of the Ministers of Scotland to the Parliament in England.
- Epistle to a Christian Brother. D.C.
- A Dispute upon Communicating at Our Confused Communion. D.C.
- Exhortation of the Particular Kirks of Christ in Scotland to their Sister Kirk in Edinburgh. D.C.
- 1628 The Pastor and the Prelate. D.C.
- 1631 The Lawfulness of Kneeling in the Act of Receiving the Lord's Supper. J. Burgesse E.
- 1631 Reasons against the Reception of King James's Metaphrase of the Psalms. (6) D.C.
- 1633 A Fresh Suit against Human Ceremonies in God's Worship or a Triplication unto D. Burgesse his Rejoinder for Dr. Morton. Wm. Ames. E.
- 1636 A Re-examination of the 5 Articles Enacted at Perth 1618. D.C.
- Note (3) The British Museum Catalogue attributes both the Reply to Dr. Morton's Defence, and the Reply to his Particular Defence to Wm. Ames. Ames published extensively, mainly in Holland, and may well have known Calderwood and collaborated with him, as we have suggested.
- (4) This is a forgery, attributed to one Scot, who is also supposed to have plotted murder of Calderwood.
- (5) Sometimes attributed to Calderwood; but Laing claimed it for Wm. Scot of Cupar, possibly in collaboration with Alexander Henderson. It was printed in Holland and Calderwood may well have written the Preface.
- (6) Strictly speaking this has nothing to do with the Five Articles, but it is worth noting that a principal reason against the reception was that the translation was neither commissioned or approved by the General Assembly.

- 1636 The Re-Examination of Two of the Articles - Abridged. D.C.
- 1637 Dispute against the English - Popish Ceremonies George Gille spie.
- 1638 A peaceable Warning to the Subjects of Scotland. J. Forbes.
- An Answer to M.J. Forbes of Corse, His Peaceable Warning D.C.
- The Trial of the English Liturgie. E.
- Divine and Political observations upon a Speech by the  
Archbishop of Canterbury. Dutch E.
- Reasons for which the Service Book, urged upon Scotland,  
ought to be refused.

CONQUEROR  
OF  
LONDON



APPENDIX H.Select List of Works Consulted

(Excluding the Controversial Pamphlets)

## 1. PRIMARY SOURCES

## (a) Manuscript.

Synod Minutes

Argyll	1639 -	SRO CH2 557/1
	1610 - 1636	SRO CH2 154/1 & 2.
	1639 - 1657	
Moray	1623 - 1644	SRO CH2 271/1.
Perth & Stirling	1639 -	SRO CH2 449/1

Presbytery Minutes

Dalkeith	1582 - 1630	SRO CH2 424/1, 2 & 3.
	1630 - 1639	
	1639 - 1652	
Deer	1602 - 1621	SRO CH2 89/1
Elgin	1635 - 1651	SRO CH2 144/1
Ellon	1607 - 1628	SRO CH2 146/2 & 3.
Fordyce	1622 - 1634	SRO CH2 158/1
Haddington	1613 - 1627	SRO CH2 185/3 & 4.
Jedburgh & Kelso	1606 - 1621	SRO CH2 198/1 & 2.
	1622 - 1644	
Kirkcaldy	1630 - 1653	SRO CH2 224/1
Linlithgow	1610 - 1617	SRO CH2 242/1, 2 & 3.
	1618 - 1632	
	1639 - 1653	
Paisley	1626 - 1647	SRO CH2 294/2

Peebles	1596 - 1624 1626 - 1644	SRO CH2 295/1 & 2
Perth	1618 - 1647 (transcriptions)	SRO CH2 299/1
Selkirk	1607 - 1619	SRO CH2 327/1

Kirk Sessions

Aberdeen St. Nicholas	1609 - 1620 - 1623 1630 - 1631 1638 - 1640	SRO CH2 448/3
Aberlady	1623 - 1645	SRO CH2 4/1
Anstruther West	1601 - 1626 1626 - 1651	SRO CH2 634/2 & /.
Arbuthnott	1639 - 1690	SRO CH2 16/1
Bathgate	1633 - 1650	SRO CH2 30/1
Belhelvie	1623 - 1641	SRO CH2 32/1
Botriphnie	1623 - 1641	SRO CH2 39/1
Burntisland	1602 - 1667	SRO CH2 523/1
Colross	1630 - 1646	SRO CH2 17/1
Dron	1632 - 1682	SRO CH2 93/1
Duffus	1631 - 1648	SRO CH2 96/1/1
Dundonald	1602 - 1612 1628 - 1643	SRO CH2 104/1
Dysart	1619 - 1642	SRO CH2 390/1
Edinburgh Canongate	1613 - 1619 1619 - 1629 1629 - 1649	
Edinburgh Trinity	1626 - 1638	SRO CH2 141/1
Elgin	1613 - 1622 1622 - 1629 1629 - 1640	SRO CH2 145/3, 4

Ellon	1603 - 1641	SRO CH2 147/1
Falkirk	1617 - 1640	SRO CH2 400/1
Fintry	1632 -	SRO CH2 438/1
Inveravon	1630 - 1649	SRO CH2 191/1
Kilconquhar	1637 - 1653	SRO CH2 210/1
Kinghorn	1605 - 1632 1639 - 1647	SRO CH2 472/1 & 2
Kinnaird	1633 - 1683	SRO CH2 418/1
Kirkoswald	1617 - 1660	SRO CH2 562/1
Lasswade	1615 - 1637 1637 - 1655	SRO CH2 471/1 & 2.
Leith North	1605 - 1642	SRO CH2 621/1
Liberton	1639 - 1671	SRO CH2 383/1
Markinch	1626 - 1646	SRO CH2 258/1
Menmuir	1622 - 1701	SRO CH2 264/1
Midcalder	1604 - 1649	SRO CH2 266/1
Monimail	1631 - 1644	SRO CH2 548/1
Mortlach	1623 - 1654	SRO CH2 529/1
Newbattle	1616 - 1628	SRO CH2 276/1
Newburn	1628 - 1637	SRO CH2 278/1
Newton	1630 - 1640	SRO CH2 283/1
Pencaitland	1633 - 1703	SRO CH2 296/1
Perth St. John's	1615 - 1618 1619 - 1624 1631 - 1642	SRO CH2 521/6, 7 & 8.
St. Andrews	1638 -	SRO CH2 316/
Salton	1635 - 1646	SRO CH2 322/1
Scoone	1626 -	SRO CH2 326/1



Stow	1626 - 1646	SRO CH2 338/1
Tynningham		
Pres. Dunbar	1615 - 1650	SRO CH2 359/1
Yester	1613 - 1643	SRO CH2 377/1

OTHERS

Perth Hospital Register. transcribed by James Scott, National Library.

Forbes, John: A Diary, or Spirituall Exercises. King's College Aberdeen.  
(copies from his own Manuscript)

(b) Printed.

(i) State Records.

Acts of the Parliaments of Scotland	v.d.
Calendars of State Papers. ( Both English & Scottish )	London v.d.
Registers of the Privy Council ( relevant volumes )	Edin. v.d.
§ The Large Declaration.	

(ii) Ecclesiastical Records.

Acts of the General Assembly 1638 - 1842.( Church Law Society )	Edin. 1843.
Abridgement of Acts of Assembly 1560 - 1840. edit.Peterkin.	Edin. 1840.
Book of the Universal Kirk. edit Peterkin. Bannatyne 31.	Edin. 1845.
Selections from Ecclesiastical Records of Aberdeen. Spalding 15.	Aber. 1846.
Perth, The Book of. edit. J.P.Lawson.	Edin. 1847.
Selections from Minutes Synod of Fife 1611 - 87. Abbotsford 8.	Edin. 1837.
Selections from Minutes Synod of Moray 1622 - 1731. edit.Cramond.Elgin	1916.
Extracts from Records Presbytery of Ellon. edit.T.Mair.	Peterhead 1898.
Presbytery Book of Kirkcaldy. edit Stevenson.	Kirkcaldy 1900.
Presbytery Book of Lanark. Abbotsford 16.	Edin. 1839.
Presbytery Book of Strathbogie. Spalding 7.	Aberdeen 1843.
Session Book of Dundonald. edit Henry Paton.	Privately printed.
Records of the Parish of Ellon. edit T. Mair.	Aberdeen 1876.

## (ii) Correspondence.

- Original Letters. edit. Botsford. Bannatyne 92. Edin. 1859.  
 Stirling, Earl of. Register of Royal Letters. Edin. 1885.  
 Letters and State Papers. James VI. Abbotsford 13 Edin. 1838  
 Royal Letters from Archives of Earl of Wigton. Maitland 25. Edin. n.d.  
 Baillie, R. Letters & Journals. Bannatyne 73. Edin. 1841.  
 Rutherford, Samuel. Letters. edit Bonar (4th ed.) Edin. n.d.

## (iv) General.

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